

MUNICIPAL RECORD.

MINUTES OF THE PROCEEDINGS

OF THE

Select and Common Councils

OF THE

CITY OF PITTSBURGH,

FOR THE YEAR 1876.

PITTSBURGH:
Stevenson & Foster, Book and Job Printers.
1877.

INDEX.

	PAGE.
Aiken, D., Jr.—Resolution of thanks to.....	189
Aull, W. F., " ".....	184
Attorney, City—Nomination of.....	17, 22
Appropriations—Resolution relative to.....	17
Allegheny Arsenal.....	37, 38, 54
Alexander, John—Petition of.....	135
Atwood street—Cinderwalk on.....	59
Acts of Assembly—	
Aldermen—Relative to.....	74, 90
Council—Representation of members of Select.....	14, 29, 31
Debt of City—Increasing.....	26, 30, 37, 40, 43, 60
Gauging—Relative to.....	25, 30
Health—Board of, Abolishing.....	49, 54
Pittsburgh—Supplement to Act incorporating City of.....	50, 59
Railroads—Running of trains, etc.....	38, 54, 55
Roads—Purchase of turnpike.....	73, 87
Real Estate—Classification of.....	74, 87, 101
School Directors—Relative to.....	74, 87
Salaries—Fixing of, Mayor, Treasurer and Controller.....	60, 75
Streets—Improvement of.....	34, 43, 60, 75
Vagrancy—To suppress.....	51, 60, 75
Wallace Act—Supplement to.....	78, 84
Water Works—Authorizing loan for completion of new.....	30, 37, 40, 43, 60
Arabella Street—Dedication of.....	172, 197
An Alley—20th Ward, dedication of.....	172, 197
Bole, H. M.—Petition of.....	142
Booth, Geo.—Resolution of thanks to.....	194
Bouquet Street—Broken stone on.....	43
Butler Street—Drainage of.....	20
" " Gas pipe on.....	40
Braun, G. L., Secretary Guardians Poor—Communication from.....	33, 34, 64, 76a, 103, 163
Bridge—Laurel Avenue.....	41, 50
" Twenty-eighth Street.....	99, 108
" Thirty-third ".....	120, 151, 197
" Over P. R. R.....	89, 95, 142, 155
Brownsville Avenue.....	25, 60
Brooks, J. W.—Claim of.....	68
Brown, John ".....	72
Butchers—Petition of for reduction of rent.....	132
Carson Street—Weigh scales on.....	85
" " Rubbish on.....	132
" " Repair of sidewalks on.....	138
Case, F. P., Secretary Fire Commission—Communication from.....	75a, 81, 84

	PAGE.
City Controller—Annual Report of.....	72, 76
“ Clerk—Communications from.....	26, 90
Craig street—Relative to.....	154
Castle Shannon R. R.—Platform.....	34
City Hall—Commission.....	25
“ Flag for	39, 43
Chamber of Commerce—Communications from.....	116, 188, 193
Centennial Celebration.....	22, 34, 40, 81, 87, 94, 95, 101, 120
Cherry, Cummings—Petition of.....	67
Contracts, City—Relative to.....	43, 96
Committees—Announcement of Standing.....	9, 10
“ Vacancies on, filled.....	52, 55, 73, 79, 96, 155
Councils—Attendance of members of.....	131
Adjournment of, for Summer.....	96, 127
Organization of, for 1876.....	1, 2
Pages of.....	2, 38, 43
Proceedings of.....	38
Rules of.....	2, 9, 73a, 79, 86, 143
Council Meetings—Calls for Special.....	20, 39, 47, 67, 69, 100, 118, 149, 158, 185, 190, 193
Councilmen—Certificate of election of.....	1, 2, 49, 75a, 81, 125, 129
“ Expiration of terms of.....	173, 174
“ Resignation of—	
Aull, W. F.....	134
Braun, G. L.....	37
Denniston, John T.....	181
Doyle, Wm.....	74a
Flinn, W. J.....	172
Glass, Jas. B.....	72
Miller, Jos.....	74a
Morrison, D. B.....	53
Musgrave, Jno. A.....	97
McCombs, Wm. M.....	151
Dom Pedro.....	74a, 78, 85
Duquesne Greys.....	39, 43
Duquesne Way—Cost of improvement of.....	172, 179, 199
Election of Assistant Assessors.....	101, 104, 106, 118, 121
“ Board of Health.....	25, 26, 29, 72, 76
“ Board Measurers.....	132, 136, 140
“ City Clerks.....	73a, 76a
“ City Depositories.....	9, 13
“ City Officers.....	5, 6, 7, 8, 9, 10, 11, 12, 13
“ Fire Commissioners.....	82, 83, 86
“ Guardians of Poor.....	33, 34, 35, 64, 76a, 103, 163
Elections—Resolutions for Special, in	
Seventh Ward.....	104, 108
Eleventh “.....	2
Fourteenth “.....	72
Eighteenth “.....	151
Twenty-first “.....	131, 134, 181, 191
Twenty-second “.....	55, 60
Twenty-ninth “.....	75a, 87
Thirtieth “.....	151, 161
Elections—Changing place of holding, in 2d Ward.....	25, 30
Ellis, Robt.—Claim of.....	22, 127
Eclectic Medical Society.....	104

INDEX.

v

	PAGE.
Engineer, City—Annual Report of.....	67, 75a
“ “ Communication from.....	25, 31
Equitable Storage Co.—Petition of.....	25
Fire Alarm Telegraph—Extension of.....	69, 143, 180, 196
“ Engines—Resolutions for.....	127, 175, 179
“ Engine House—Resolution for erection of, in 32d Ward.....	120, 127
Fire—Relative to, under Herron Hill.....	18, 25, 31, 183
Fire Department—Review of.....	165, 166
Forbes Street Extension—Opening of.....	58, 129
Forty-fifth Street—Opening of.....	76a, 196
Galway, D. R.—Communication from, relative to the Mayor.....	171
Gray, Crosby, Health Officer—Communication from.....	25, 28, 58, 64, 135, 168
Greer, Robt. J.—Relative to return of.....	67, 69, 71, 75, 76
Gross, Dr. A. H.—Resolution of regret.....	182
Grappling Hooks—Purchase of.....	120, 197
Health—Board of—Resolution to abolish.....	49, 50, 54
Hill, Ay—Repair of.....	97
Houston, C. W.....	90
Hugus & Hacke—Petition of.....	153, 154
Ice—Resolution for.....	69
Jones, Thos.—Petition of.....	28
Josephine Street, S. S.....	85
King & Parks—Claim of.....	51, 63
Keeling, Joseph—Petition of.....	135
Latta Guards.....	51, 59
Laws—Purchase of pamphlet.....	74a, 87
Lady Waiter Saloons—Relative to.....	132, 167, 168, 172, 182, 217
Legislation—Committee on.....	2, 23, 55
Legislative Investigation Committee.....	59, 64
Legislative—Members of to transmit copies of Acts.....	17, 22
Lear, Hon. Geo.—Opinions from.....	117, 121, 173, 174
Lincoln Avenue—Weigh Scales on.....	151, 161
Lowry Engines—Relative to.....	65
Mawhinney, Jas.....	55, 73a, 118
Mackintosh, Hemphill & Co.—Proposition of.....	65, 66
Manor Street—Relative to.....	85
Markets—Hose for.....	82, 87
Morningside Road—Relative to.....	90
Morrow, E. S.—Resolution of thanks to.....	196
Murphy, Francis—Resolution giving use of City Hall to.....	182
McCarthy, Hon. Wm. C., Mayor—Communication from.....	115, 121
McAdams' Heirs—Claim of.....	171
McQuade & Deane, “.....	74a
McCrickart's Plan of Streets.....	94
Nation Trust Co.—Relative to.....	67, 69, 71, 90, 96, 101, 103, 105, 108, 131, 134, 170, 171, 172, 185, 186, 187, 195
Negley, W. B.—Resolution of thanks to.....	186

	PAGE.
Notley Street—Petition to change name of.....	18
Odorless Excavating Apparatus.....	19
Ohio River—Improvement of.....	34, 42

ORDINANCES.

Ordinances assessing damages by grading—	
Carson Street.....	53
Garden Street.....	76a, 92
Liberty Avenue.....	21, 28, 52, 105, 169, 215
Lincoln Avenue.....	61, 75a, 86, 204
Locust Street.....	144, 160
Madison Street.....	89, 99, 120, 206
Ridge Street.....	153
Sarah Street.....	150, 160, 189
Thirty-third Street.....	20, 41, 159
Wylie Avenue.....	14
Ordinances—Assessing cost of bridge on—	
Boundary Street.....	151
Ellsworth Avenue.....	3
Lincoln Avenue.....	151, 177
Ordinances—Boardwalks on—	
Cassatt and Crescent Streets.....	178
Grandview Avenue.....	18, 41, 52, 201
Knox Avenue.....	140, 146, 177
Manor Street.....	159, 178
Morningside Road.....	62, 77, 97, 158, 210
Ordinances changing name of—	
First Street.....	5, 68, 77, 91, 126, 208
Notley Street.....	25, 39, 54, 201
Well or Spring Alley.....	75
Ordinances establishing grade of—	
Armstrong Alley.....	4
Bluff Street.....	144, 159, 189, 218
Denny Street.....	21, 29, 40, 52, 201
Duquesne Way.....	85, 92, 93, 118, 125, 208
Forbes Street.....	144
Fort Street.....	85, 92, 125, 160, 169, 208, 211
First Street.....	85, 125, 207
Green Alley.....	92, 125, 207
Homewood Avenue.....	119, 146, 158, 157, 209
Madison Street.....	28, 42, 60, 202
Miller Street.....	76a, 92
Penn Avenue.....	100, 145
Ridge Street.....	133, 146, 158, 209
Second Street.....	85, 92, 126, 208
Sylvan Avenue Extension.....	107, 119, 131, 142, 163, 169
Thirty-fourth Street.....	74, 93, 107, 119, 126, 207
Union Alley.....	127, 142, 208
Union Street.....	133
Ordinances—Grading, Paving and Curbing—	
Bluff Street.....	62, 77, 84, 127, 133, 139, 142, 161, 178, 204, 217
Center Street.....	34, 61, 74, 78
Duquesne Way.....	15, 16
Exchange Alley.....	62, 77, 132, 145, 182, 217
First Street.....	15

		PAGE.
Fort Street.....		16
Forty-seventh Street.....		41, 53, 204
Fifth Avenue.....	54, 61, 77, 96, 99, 100, 116, 118,	206
Green Alley.....		15
Harrison Street.....	85, 92, 106, 126, 165,	212
Harcum Alley.....		104, 145
Larimer Avenue.....		105
Pride Street.....	129, 145, 154, 166, 183,	217
Sarah Street.....		15
Second Avenue.....		81, 92, 133
Second Street.....		15
Smallman Street.....	62, 77, 93,	125
Shingiss Street.....	127, 133,	146
Thirty-third Street.....		72, 106
Thirty-eighth Street.....		62, 77
Thirty-fourth Street.....		144
Union Alley.....	92, 105, 133, 153,	209
Virgin Alley.....	78, 92, 93, 97, 107, 117,	205, 206
Wood Street.....	54, 61, 62, 77, 96, 100, 118,	206
Ordinances—Location of—		
A Street.....		4
Center Street.....	20, 29, 40, 52,	201
Chestnut Street, S. S.....	28, 161, 166, 177,	216
Fetzer Street.....	101, 134,	160
Grand Avenue.....	21, 28,	38
Gunning Street.....		75
Harrison Street.....	20, 29, 50, 52, 62, 75a,	204
Heberton Street.....	21, 42,	204
Hoffman Street.....	20, 29, 38,	60
Houck Street.....	101, 134, 142, 164,	211
Jones Avenue.....		101, 134
Larimer Avenue.....		105
Louisa Street.....		101
Maiden Lane.....		91, 166
Meyer Avenue.....	20, 29, 39,	43
Murray Avenue.....	28, 42, 55, 66,	74
Reservoir Avenue.....	138, 157, 168,	212
Station Street.....	38, 75, 84,	126, 208
Ordinances—Miscellaneous—		
Amending City Code title—" Board Measurers ".....		18, 94, 207
" " " " Sidewalks ".....		116, 137
" " " " Signs and Sign Boards ".....	116, 137, 164,	173
" " " " Markets ".....	137, 144, 153, 158,	167, 212
Amending—Bond Ordinance.....	74a, 90, 107, 119, 130, 136,	157, 164
" Depository Ordinance.....	137, 143, 149, 152,	161, 211
" Police ".....		60
Authorizing A. & P. Telegraph Co., to erect poles.....		22, 28, 40
" Contract with East End Gas Co.....	38, 72, 79, 87, 88, 95,	107
" Pittsburgh and S. S. Railway, to use certain streets.....	51, 77, 93, 126, 134, 150, 158,	164, 172, 215
" A temporary loan for payment of Penn Avenue Bonds.....	59, 67, 69,	70, 203
" A temporary loan for payment of Water Works Bonds.....		90, 98
" Cummings Cherry, to lay Sidewalk on Oak Alley.....		92, 105, 141, 208

	PAGE.
Authorizing John D. Negley, to erect Weigh Scales.....	91, 106, 141, 208
“ Construction of a Bridge on Laurel Avenue.....	79, 133
“ Issue of Bonds for exchange of “Railroad Bonds,”.....	149, 157
“ Water Assessor to employ assistants.....	74a, 90, 98, 107, 205
“ The leasing of certain property to the E. F. G. Co.....	34, 39
“ A contract with the Pittsburgh Gas Co.....	129, 154, 165, 176, 191
“ Joseph Keeling to use a dummy engine on his railroad, on S. S.....	144, 178, 189, 195, 196, 219
“ Licensing of Drain Makers.....	144
Appropriations for 1876.....	17, 38, 39, 45, 46, 47, 49, 54, 58, 64, 202
Consolidating Committees of Councils.....	74a, 171, 177
Changing place of holding Elections in Third Ward.....	159, 182, 192, 218
Establishing Public Wharves on the South Side.....	22, 42, 52, 159, 201
“ A Fund for the Pursuit of Criminals.....	159, 171, 177
Prohibiting throwing of glass, etc., on streets.....	4
Relative to “Fines and Forfeitures”.....	73, 137, 165, 173, 211
“ “ Contracts for Street Cleaning.....	27, 41, 54, 141
“ “ Sewer Connections.....	27, 75, 144
“ “ Sale of Merchandise.....	38, 52, 73, 83, 126
“ “ Travel at Street Crossings.....	150, 152, 164
“ “ Junk Shops.....	132, 167, 173
“ “ Pawn Brokers.....	132, 167
To Carry into effect the “Wallace Act”.....	14
To prohibit Awning Flaps.....	116, 164, 196
“ “ Steam Whistles.....	129, 152, 161
“ “ Jumping on or off Locomotives.....	151, 177
“ “ Lady Waiter Saloons.....	132, 167, 172, 182, 217
Ordinances—Opening—	
Centre Avenue.....	177
Center Street.....	34, 61, 74, 78
Donnelly Alley.....	105, 145, 154
Exchange Alley.....	62, 77, 93, 127, 131, 163, 212
Forbes Street.....	91
Forty-seventh Street.....	150, 160, 166, 197
Green Alley.....	16
Harrison Street.....	85, 92, 106, 118, 205
Knox Avenue.....	77, 92, 119, 165, 169, 215
Larimer Avenue.....	105
Mary Street.....	42, 165, 178
Osage Lane.....	77, 97, 131, 138, 163, 215
Reed Street.....	97, 105, 119, 142, 160, 171, 183, 218
Reservoir Avenue.....	152, 177
Second Street.....	14
Station Street.....	99, 131, 152, 161, 211
Sycamore Street.....	3
Twenty-third Street, S. S.....	71, 92, 105
Woodville Avenue Extension.....	159, 178, 196
Ordinances—Repealing Ordinances—	
Locating Sycamore Street.....	159
Opening School Alley.....	22, 77
“ Sycamore Street.....	144, 160, 170, 215
Sewer on Locust Alley.....	153, 177, 189, 218
Ordinances—Salaries—	
Building Inspector.....	32
City Assessor.....	32
City Engineer.....	32

	PAGE.
Fire Department.....	94
Mayor.....	171, 181, 191, 218
Message Clerk.....	165, 166, 179, 182, 192, 193, 199
Police Force.....	94, 100, 107
Water Assessor.....	23
Ordinances—Sewers on—	
Beech Alley and Locust Street.....	154, 183, 191, 219
Fourth Avenue.....	3
Forty-seventh Street.....	127
Fifty-fourth Street.....	133
Fifty-fifth Street.....	145
Property of Michael McCullough.....	27, 41, 75a, 97, 130, 208
Soho Run.....	91, 99, 153, 158, 167, 214
Thirteenth Street, S. S.....	3
Twenty-fourth Street.....	105, 145
Ordinances—Width of Sidewalks on Bluff Street.....	127, 133, 196, 219
Cliff Street.....	105, 145, 190, 196, 219
Maria Street.....	105, 145
St. Clair Street.....	130, 154
Sylvan Avenue Extension.....	133, 146, 182, 217
Vickroy Street.....	105, 145
Washington Street.....	130, 164
Ordinances—Vacating—	
Collins Avenue.....	21, 28, 50, 75, 84, 204
Hill Street.....	100
Ordinances—Wooden Buildings—(Granting right to erect.)	
Bartley, Milton.....	98, 108, 205
Daly, W. H.....	129, 176, 195, 199, 219
Duncan, Geo. & Son.....	100, 137, 155, 210
Gilroy, John.....	97, 137
McConway, Torley & Co.....	61, 75a, 82, 96, 205
McClure, Alex. & Co.....	165, 176, 192, 218
McConaghey, Elizabeth.....	160, 176, 183, 184, 196, 199, 219
McDermott, E.....	98, 119, 205
Preller, Chas.....	143, 152, 158, 167, 214
Schofield, John A.....	75a
Standard Nut Co.....	76a
Stevens, Vincent.....	100
Wallace, Maurice.....	61
Yeager, Mrs. M.....	137
Pawnbroking—Relative to.....	182, 192
Passenger Railways—Relative to Street.....	76a, 186, 196
Peanut Stands—Licensing of.....	60
Phillips & Mosgrove—Resolution granting right to erect Balcony.....	116, 119
Penn Avenue Act—Relative to Streets Improved under.....	143
Pennsylvania—Removal of Capital of.....	181, 186
Pittsburgh Savings Bank.....	143
Printing—Contract for City.....	19, 20, 21, 27, 80
Point Streets—Contracts for improvement of.....	87

PETITIONS.

Petitions—Assessment of damages by Grading	
Forty-fourth Street.....	84
Homewood Avenue.....	175
Liberty Avenue.....	99

	PAGE.
Locust Street.....	132
Madison Street.....	89
Ridge Street.....	130, 142
Water Street.....	71
Petitions—Boardwalks on	
Crescent Street.....	171
Homewood Avenue.....	171
Knox Avenue.....	61
Manor Street.....	144
Morningside Avenue.....	53
Petitions—Establishing Grade on	
Bluff Street.....	132
Carson Street.....	132
Fort Street.....	129
Miller Street.....	53
Ridge Street.....	97
Sylvan Avenue Extension.....	89
Water Street (approach to Point Bridge).....	132
Petitions—Gas Lamps on	
Carson Street.....	89
Centre Avenue.....	74, 129, 178
Center Street.....	59
Cedar Street.....	59
Chestnut Alley.....	138
Davis Street.....	89, 153
Devillier Street.....	81
Duquesne Way.....	177
Elm Street.....	104
Forbes Street.....	40
Forty-sixth Street.....	18
Forty-third Street.....	51
Frankstown Avenue.....	18
Garrison Alley.....	41
Hatfield Street.....	165
Hiland Avenue Bridge.....	37
Jane Street.....	53, 82
Lang Avenue.....	61
Lincoln Avenue Bridge.....	171
Liberty Street.....	119, 138
Lytle Street.....	159
Meadow Street.....	53
Overhill Street.....	41
Pride Street.....	178
Railroad Street.....	84, 166
Rebecca Street.....	59, 97
Shady Lane Bridge.....	18
Short Street Tunnel.....	18
Stanton Avenue.....	27, 152
Second Avenue Park.....	73a
Thirty-eighth Street.....	54
Taylor Street.....	61
Thirty-sixth Ward.....	105
Twenty-eighth Street, S. S.....	82
Wilson Street.....	40
Wylie Avenue.....	58
Petitions—Grading, Paving and Curbing,	
Bluff Street.....	51

INDEX.

xi

	PAGE.
Centre Avenue.....	116
Cliff Street.....	76a, 100
Diamond Square.....	185
Exchange Alley.....	51
Forty-seventh Street.....	27
Harrison Street.....	101
Harcum Alley.....	97
Hill Alley.....	72
Larimer Avenue.....	105
Market Street.....	116, 120
Second Avenue.....	27
Smallman Street.....	40
Thirty-fourth Street.....	182, 159
Thirty-eighth Street.....	51
Union Alley.....	75
Virgin Alley.....	60
Webster Avenue.....	74
Wood Street.....	40, 100
Petitions—Locations—	
Approach to Thirty-third Street Bridge.....	154
Chestnut Street.....	188, 140
Fetzer Street.....	41
Fisk Street.....	91
Flower Avenue.....	89
Forbes Street Extension.....	61
Harrison Street.....	61
Houck Street.....	41
Maiden Lane.....	91
Street, Twenty-third Ward.....	159
Township Road, Twenty-seventh Ward.....	140, 154
Petitions—Opening—	
Centre Avenue.....	151
Donnelly Alley.....	76a
Flower Avenue.....	89
Forty-fifth Street.....	76a
Jones Avenue (width of).....	81
Knox Avenue.....	61
Larimer Avenue.....	105
Moore Street.....	89
Osage Lane.....	72
Reservoir Avenue.....	146
Reed Street.....	84
Union Alley.....	40
Wayne Street.....	165
Woodville Avenue Extension.....	146
Petitions—Repeal Ordinances—	
Opening Forbes Street.....	129
“ Sycamore Street.....	130
Petitions—Sewers on	
Beech Alley.....	154
Beitler Street.....	100
Cecil Alley.....	97
Soho Run.....	84
Petitions—Street Crossings on	
Butler Street.....	165
Fortieth Street.....	165
Hatfield Street.....	165
Thirty-seventh Street, <i>et al.</i>	166

	PAGE.
Petitions—Tax Abatement, and Exonerations—	
Ageman, Elizabeth.....	180
Bell, Andrew.....	171
Boyer, Michael.....	51
Blanchard, L. J.....	73a
Buffum, H. W. & Co.....	73a
Bender's Heirs.....	81
Campbell, L.....	39
Citizens, Thirty-first Ward.....	68
Cox, John.....	76a
Carroll, P.....	91
Cody, P. W.....	118
Dougherty, Sarah & Mark.....	37
Dwyre, Margaret.....	27
Duke, Hiram.....	159
Dodson, Burt & Co.....	175
Feldung, Geo. A.....	61
Frazier, Lavinia V.....	81
Flynn, Jas. P.....	159
First R. P. Church.....	166
Glass, Neely & Co.....	72
Gillespie's Heirs.....	144
Handlon, T.....	186
Hartman, F.....	165
Howard, Jas.....	166
Heintz, Mrs. Margaret.....	143
Henry Street, <i>et al.</i>	61
Hyde, Aaron.....	180
Jarrett, Lydia.....	97
Kuckert, Caroline.....	116
Lange, Genth & Thumm.....	129
Ludolph, H. J.....	20
Littleton, R.....	40
Lindsay, Murray & Co.....	178
Leonard, Robt.....	183
Mannesager's Heirs.....	37
McMahon, Mrs. M.....	53
Murphy, Francis.....	132
McGrath, John.....	105
Mackin, John.....	129
Moore & Nesbitt.....	144
Mittkowsky, G.....	159
McGinnis & Miller.....	89
Peacock, Chas.....	116
Peebles, Geo.....	138
Pownall, W. D.....	161
Parfitt, Geo.....	171
Parkinson, John.....	37
Quinn, Jas.....	104
Retail Liquor Dealers.....	25
Rice, Jas.....	28
Rodebach, Geo.....	135
Shafer, Henry.....	17
Soho Mission Church.....	37
Savage, Wm.....	53
Stack, John.....	75
Straub & Ludwig.....	132

	PAGE.
Sorg, Wilhelmina.....	135
Sloan, Chas.....	175
Tynan, Patrick.....	165
Van Gezer, H.....	135
Wettengell & Gormly.....	18
Weber, John.....	138
Wallace, W. W.....	118
White, E. C.....	138
Wolf, Henry.....	154
Walter Sisters.....	159
Wegeman, Jos.....	166
Woods, Jas. J.....	172
Young, Wm. K.....	100
Petitions—Taxes—Refunding	
Anderson, Margaret.....	138
Brown, W. C.....	131
Booz, Fred.....	144
Berkowitz, L.....	153
Benn, Charlotte.....	171
Boyd, John.....	171
Bryar, Jas.....	41
Chislett, John.....	130
Connelly, P.....	81
Cosgrove, Barbara.....	138
Callahan, Cornelius.....	116
Duckham, Wm.....	116
Dermitt, J.....	132
Eckert, Conrad.....	22
Farnan, John.....	71
Fritz, S.....	130
Fox, Geo.....	175
German Evangelical Church.....	85
Gross, C. A.....	138
Hagan, Gustav.....	40
Hill, D.....	151
Hughes, Wm.....	74a
Horne, B.....	132
Howley, P. F.....	138
Jarrett, Lydia.....	97
Junghans, Barbara.....	138
Kirkpatrick, Anna M.....	116
Keefe, Mrs.....	140
Lemmon, Wm.....	180
Metcalf, John.....	130
Minges, Mrs.....	69
Menges, Philip.....	138
Miller, Lucy.....	151
McAdams, J. E.....	151
McCoy, Jane.....	160
McKibben, Mrs Wm.....	81
Nau, Geo. A.....	61
O'Neil, Thos.....	151
Powell, John T.....	172
Phillips, Jas.....	159
Rea, Henry.....	51
Rebholtz, Margaret.....	186
Schad, Conrad.....	104

	PAGE.
Schringer, Jacob.....	38
Shidle, Jas.....	127
Shaltenbrand, L. J.....	91
Sturm, H.....	132
Toner, M.....	73a
Wallace, John.....	129
Wegeman, Jos.....	91
Weiss, Theodore.....	21
Petitions—Water Mains and Fire Plugs on	
Charlotte Street.....	53
Harrison Street.....	53
Lawn Street.....	99
Reed Street.....	129
Thumm Street.....	60
Petitions—Weigh Scales on	
Carson Street.....	82
Lincoln Avenue.....	82
Petitions—Wooden Buildings (permission to erect.)	
Bartley Milton.....	81
Bruggeman & Co.....	59, 75a
Gedeckoe, Fred.....	53, 75a
Hanley, Mary.....	76a
Huckenstein, John.....	166
Jarvis & Adams.....	144
Melling, Chas.....	53, 75a
McClure, Alex. & Co.....	169
McDermott, E.....	65, 75a, 87
McConaghey, Elizabeth.....	160
Preller, Chas.....	132
Schofield, J. W.....	37
Wallace, Maurice.....	40, 75a
Wilhelm, Martin.....	76a
Yeager, Martin.....	85
Rabenstein, J. E—Claim of.....	166
Reno, R.—Claim of.....	144
Reporters—Relative to.....	43
Ridge Street—Grade of.....	97
Railroads—	
Pittsburgh, Cincinnati and Columbus.....	138
Pennsylvania Central.....	43, 54, 66, 187
Pittsburgh, Virginia and Charleston.....	51, 133
Railways—	
Relative to Street.....	76a, 186, 196
Pittsburgh, Oakland and East Liberty.....	91, 129, 180
Pittsburgh and South Side.....	105

REMONSTRANCES AGAINST

Change of Grade on Bluff Street.....	132
" " Sylvan Avenue Extension.....	118
Damages Grading, etc., of Carson Street.....	35
" " Bluff Street.....	132
" " Craig Street.....	101
" " Harcum Alley.....	105
" " Shingiss Street.....	132
Location of Meyer Avenue.....	49

INDEX.

xv

	PAGE.
Opening of Larimer Avenue.....	89
“ “ Mary Street.....	178
“ “ Meyer Avenue.....	49
“ “ Twenty-third Street.....	92
Report of Viewers on	
Damages by Grade of Forbes Street.....	75
Opening of Forbes Street Extension.....	152
Sewer on Breed Street.....	89
Sewer on Cecil Alley.....	97, 103
“ Locust Alley.....	138
“ Mill Alley.....	82
“ Fifty-fourth Street.....	132
“ Twenty-fourth Street.....	105
Widening—Washington Street, S. S.....	135, 154
“ Well or Spring Alley.....	74

REPORTS OF COMMITTEES ON

Appeals.....	21, 34, 63, 78, 94, 154, 179, 183, 191, 197
Allegheny Wharf.....	19, 31, 59, 75, 75a, 87
Centennial.....	94, 197
City Property.....	18, 31, 39, 43, 59, 75, 74a, 87, 90, 104, 119, 130, 140, 144, 155, 176, 192
City Printing.....	19, 21, 27, 30, 42, 53, 85, 147, 161, 197, 199
Finance.....	17, 22, 38, 42, 59, 67, 69, 75, 74a, 79, 90, 95, 97, 98, 101, 107, 119, 130, 134, 135, 136, 140, 142, 155, 167, 175, 179, 191, 192, 197
Gas Lighting.....	18, 31, 73, 82, 87, 99, 120, 137, 140, 152, 161, 177, 192
Legislation.....	59, 73, 74, 79
Markets.....	18, 31, 39, 51, 54, 59, 63, 72, 75, 74a, 82, 87, 90, 95, 98, 101, 108, 127, 134, 137, 144, 155, 176, 192
Monongahela Wharf.....	21, 34, 78, 94, 107, 154, 197
Ordinances.....	19, 31, 177
Police.....	21, 34, 42, 63, 78, 94, 107, 134, 146, 161, 179, 197, 199
Railroads.....	21, 34, 53, 197
Retrenchment and Reform.....	21, 34, 94
Roads.....	19, 31, 39, 43, 75a, 87, 91, 131, 140, 152, 161, 177, 192
Rules.....	73a, 79, 85
Streets.....	21, 34, 41, 76a, 91, 105, 138, 144, 154, 159, 178, 197
Surveys.....	21, 34, 42, 62, 93, 146, 160, 197, 199
Water.....	18, 31, 59, 75, 74a, 87, 90, 98, 104, 119, 127, 130, 131, 134, 137, 144, 155, 169, 172, 176, 192
Wooden Buildings.....	18, 31, 75a, 87, 98, 108, 137, 155, 176

REPORTS OF VIEWERS, FINAL

Reports of Viewers—Bridges—	
Ellsworth Avenue	146, 170, 180
Sylvan Avenue Extension.....	154, 161, 170, 177
Reports of Viewers—Grading—	
Carson Street.....	41, 62, 75a, 91
Colwell Street.....	74, 75a
Forbes Street.....	74, 75a
Hiland Avenue.....	78, 84, 93, 131
Lang Avenue.....	62, 75a
Madison Street.....	154, 160, 170
Second Avenue.....	146, 170
Stanton Avenue.....	20, 50
Wylie Avenue.....	107

	PAGE.
Reports of Viewers—Opening—	
Forbes Street Extension.....	133, 152, 170
Hatfield Street.....	146, 170
Harrison Street.....	138, 170
Lelia Street.....	146, 170
Mary Street.....	41
Murray Avenue.....	78, 84
McCandless Avenue.....	107, 131
Notley Street.....	107, 131
School Alley.....	129, 189
Second Street.....	101, 131
St. Clair Street.....	20, 50
Sycamore Street.....	138, 170
Union Alley.....	154, 170
Virginia Avenue.....	20, 50
Reports of Viewers—Sewers—	
Brady Street.....	85, 91
Concord Alley.....	132, 152
Fourth Avenue.....	133, 152
Thirteenth Street, S. S.....	93

REPORTS OF VIEWERS, PRELIMINARY :

Reports of Viewers—Boardwalks on	
Morningside Road.....	158
Bridges—Laurel Avenue.....	133
Reports of Viewers on—G. P. & C.	
Bluff Street.....	139
Center Street.....	78
Exchange Alley.....	85
Forty-Seventh Street.....	53
Harrison Street.....	106, 164
Pride Street.....	154
Shingiss Street.....	146
Smallman Street.....	85
Union Alley.....	133
Reports of Viewers—Opening—	
Center Street.....	78
Donnelly Alley.....	154
Exchange Alley.....	85, 163
Forty-seventh Street.....	166
Harrison Street.....	106
Knox Avenue.....	119, 165
Osage Lane.....	131
Reed Street.....	119
Station Street.....	152
Union Alley.....	78
Reports of Viewers—Repaving—	
Fifth Avenue.....	99, 100
Second Avenue.....	78, 132, 133
Thirty-third Street.....	172
Thirty-fourth Street.....	172
Virgin Alley.....	85, 107
Wood Street.....	99, 100
Reports of Viewers—Sewers—	
Property of Michael McCullough.....	84, 120, 131

RESOLUTIONS.		PAGE.
For Erection of Fire Plugs on		
Beatty Street.....		51
Bedford Avenue.....		159
Penn Avenue.....		173
Rebecca Street.....		59
Second Avenue.....		53
Thirty-third Street.....	99,	119
Wylie Avenue.....		74a
For Erection of Gas Lamps on		
Carson Street, <i>et al.</i>	19, 22, 137,	155
Cherry and Virgin Alleys.....		85
Chestnut Street, <i>et al.</i>	177,	192
Davis Street.....	177,	192
Forbes Street Bridge.....		172
Forty-second Street.....	19, 22	
Frankstown Avenue.....		27, 30
Harrison Street, <i>et al.</i>		137, 155
Hazelwood Avenue, <i>et al.</i>		19, 22
Jane Street, <i>et al.</i>	73, 87, 99,	108
Kirkpatrick Street, <i>et al.</i>		73, 87
Liberty Avenue, <i>et al.</i>	177,	192
Liberty Street.....		81, 152
Manor Street.....		89
Meadow Street, <i>et al.</i>	73, 82,	87
Pike and Eleventh Streets.....		172
Railroad Street, <i>et al.</i>		83, 95
Second Avenue.....		27
Short Street Tunnel.....		27, 30
Stanton Avenue.....	82, 96, 137,	155, 167
Twenty-sixth Street, <i>et al.</i>		19, 22
Townsend Street, <i>et al.</i>		82, 95
Virgin Alley and Walnut Street, S. S., <i>et al.</i>		19, 22
Virgin Alley, <i>et al.</i>		99, 108
Resolutions in Memoriam—		
Dietrich, Stephen.....		181, 186
Singerly, Benjamin.....		127
Resolutions for Street Crossings on		
Birmingham Avenue.....		130
Carson and Fifth Streets.....		166
High Street.....		200
Liberty and Eleventh Streets.....		28
Pius Street.....		151
Seventh Avenue and Smithfield Street.....		159
Wylie and Sixth Avenues.....		97
Resolutions for Exoneration of Taxes of		
Bender's Heirs.....		94, 153
Boyer, M.....		63, 153
Connelly, P.....		94, 153
Crowley's Heirs.....		63, 153
Cuckert, Caroline, <i>et al.</i>		139, 153
Dwyre, Margaret.....		63, 153
Feldung, G. A.....		78, 153
First R. P. Church, <i>et al.</i>		183, 191
Hussey & Dravo.....	17, 22, 38,	42
Murphy, Francis.....		154, 169
Manesager's Heirs.....		63, 153

	PAGE.
Parkinson, John.....	63, 153
Soho Mission.....	63, 153
South Side Wards.....	38
Wegeman, Joseph, <i>et al.</i>	179, 183
Young, W. K., <i>et al.</i>	139, 153
Resolutions for Refunding Taxes to	
Aetna Life Insurance Company.....	59, 175, 192
Aiken, John, Executor of.....	85, 90, 95
Anderson, Margaret <i>et al.</i>	167, 183
Bauersmith, C. F.....	42, 153
Boyd, John.....	138
Bradley, John.....	90, 95
Cox, Wm. F., <i>et al.</i>	94, 116
Davis, John B., <i>et al.</i>	154, 169
Eckert, Conrad.....	89, 42
Engel, H.....	10, 38, 42
Evans, Sell & Co.....	143, 155
Evers, H.....	63, 127
Forster, L.....	17, 22
Farnan, John.....	78, 127
Feldung, G. A.....	78, 127
Fox, George <i>et al.</i>	183, 191
Greeneisen, F. C.....	17, 22
Horne, B.....	127, 134
Hagan, G.....	69, 75
Huffman, L.....	136
Jarrett, Lydia <i>et al.</i>	139, 153
Kirkpatrick, Anna M.....	130, 134
Kramer, F. E.....	63, 127
Lawton, W. A.....	90, 95
Menges, Philip.....	151
Metropolitan Bank.....	179, 183
Mutual Benefit Life Insurance Company.....	59, 192
Mingiss, Mrs.....	78, 127
Rea, H., Jr.....	90, 95
Schwarm, H.....	138
Security Life Insurance Company.....	155, 175
Voskohle, B. R.....	63, 127
Weber, John.....	143, 155
Windstine, John.....	59, 75
Wood, John.....	136, 155
Wallace, John <i>et al.</i>	139, 153
Zimmer, Lucas.....	20, 90, 95
Resolutions for Warrants in favor of	
Allegheny Wharf Department.....	195, 200
Booth & Flinn.....	66, 74a, 79
Byrnes, B.....	68, 74a, 79
Board of Health.....	143, 149, 150, 158, 168, 176, 179
City Attorney.....	20, 28, 180, 134, 187
Craig, T. J., <i>et al.</i>	67, 70
Cooper, S. B.....	104, 119, 196, 199
City Property Department.....	196, 199
Egers, E.....	135
Ellis, Robt.....	91, 96, 119, 130, 155, 165, 196
Evans, Wm.....	179
Fire Department.....	90, 95

	PAGE.
Finch, Wm., Sr.	147, 167
Ferson, Jas. L.	76a, 90, 95
Freyvogel, H. A.	155, 194
Hastings, Robt.	74a, 95
Hutchinson Battery.....	39, 143, 155
Joyce, Martin.....	81, 90, 130, 134, 139, 152
Johnston, S. R.	18, 39, 43
King & Parks.....	63, 116
Kelly, James, <i>et al.</i>	159, 175, 192
Moran, P. & Co.....	66, 74a, 79
Murdock, John, Jr., <i>et al.</i>	67, 69
McAdams, Wm.	175, 192
Monongahela Wharf Department	195, 200
Parkinson, John, <i>et al.</i>	185, 155, 189
Police Department.....	179, 182
Reno, R. R.	175, 191
Road Department.....	195, 200
Salary Appropriation.....	195, 200
Seanor, C. W.	181, 134, 193, 197
Sims, W. H.	83, 87, 144, 155, 193, 197
Stolzenbach, C.	72, 90
Schultz, C. J.	59, 74a, 79, 96, 98, 107, 133, 135, 140
Wettengell & Gormly.....	161
Sarah Street.....	166
Sawyer, N. P.—Resolution vacating seat of.....	151
St. Patrick's Day—Relative to procession.....	58, 64
Shingiss Street—Grading of.....	62
Sharpsburg Bridge.....	84
Street Commissioners—Relative to.....	54, 66
Soho Street.....	58, 143, 160
Street Signs.....	79, 119
Streets—Relative to repaving.....	99
Sidewalks.....	166, 197
Sylvan Avenue—Grading of.....	116
Thirty-third Street.....	38, 40, 50, 89, 95
Third Street, S. S.	132
Thirty-sixth Ward—Drainage of.....	100
Try Street Sewer—Relative to.....	132
Twenty-second Ward—Resolution of Citizens of.....	34
United Savings Bank—Relative to.....	135, 140
Viewers—Petition of T. J. Craig <i>et al</i> for payment for services as	51
Virgin Alley—Gas on.....	69
Veto Messages—Relative to—	
"C. C., No. 488".....	176, 179
"S. C., No. 4".....	57, 63
"S. C., No. 55".....	37
"S. C., No. 394".....	141
Water Works—Relative to the New.....	43, 65, 76a, 89, 118, 120, 131, 137, 187
Water Assessor—Annual Report of.....	98, 120
Water Superintendent—Annual Report of.....	98, 108
Water Assessor's Assistants	98, 197

	PAGE.
Whitfield, H.—Claim of.....	172
Wharf, Allegheny.....	58
Wharfage—Resolution relative to.....	17, 22
Whistles—Relative to steam.....	127, 138
Yard's Alley—Boarkwalk on.....	25, 62, 116

Pages from 201 to 219 are "Appendix."

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, January 3, 1876.

No. 1.

Municipal Record.

SIXTY-FIRST COUNCIL.

SELECT COUNCIL.

On Monday, the third day of January, A. D. 1876, at two o'clock in the afternoon, the members and members elect of the SELECT COUNCIL of the City of Pittsburgh convened in the Select Council Chamber in said city agreeably to the Act of Incorporation and the supplements thereto.

And there being a quorum present, the Convention was called to order by E. S. Morrow, City Clerk, who proceeded to read a certified transcript of the "General Certificate of result of the votes cast for Select Councilmen in the City of Pittsburgh at an election held February 16th, 1875," as the same appears on record in the office of the Prothonotary of the Court of Common Pleas in and for the County of Allegheny, whereby it appeared that the following named persons had been duly elected members of said Council:

For the 1st Ward.....	W. B. Hunter.
" 2d	Benj. Singlerly.
" 3d	Gus. L. Braun.
" 4th	Harry Darlington.
" 5th	Jno. O'Neil.
" 6th	Jno. M. Kennedy.
" 7th	Jno. A. Musgrave.
" 8th	J. Guy McCandless.
" 9th	A. L. Reiman.
" 10th	Jas. Lappan.
" 11th	A. G. McCandless.
" 12th	T. W. Welsh.
" 13th	C. L. Powers.
" 14th	Jas. B. Glass.
" 15th	Stephen Dietrich.
" 16th	Samuel McKinley.
" 17th	Geo. Fox.
" 18th	Henry Laggerman.
" 19th	R. H. Negley.
" 20th	David Aiken, Jr.
" 21st	John T. Denison.
" 22d	D. D. Bruce.
" 23d	Samuel S. Brown.
" 24th	Wm. McClurg.
" 25th	M. M. Felker.
" 26th	Jno. H. Sorg.
" 27th	Jacob Nusser.
" 28th	J. K. P. Duff.
" 29th	Jos. Miller.
" 30th	H. D. Rolfe.
" 31st	Jacob Schwarm.
" 32d	Henry Meyer.
" 33d	Thos. Kernan.
" 34th	Alex. Foster.

For the 35th Ward.....G. I. Holliday.
" 36th ".....J. P. Vierheller.

Which said certificate was then and there unanimously approved.

A certificate from the said Prothonotary of said Court of Common Pleas certifying to the election of Gregor Fox as a member of Select Council from the Twenty-sixth ward in the place of and for the unexpired term of M. A. Arnholt, resigned.

Which was unanimously approved.

Whereupon, Council proceeded to an election for President thereof. And,

Mr. R. B. Brown,

Nominated Mr. A. H. Gross.

Mr. BRUCE,

Nominated Mr. James Kerr.

And the result of the voting was as follows:
For A. H. Gross—Messrs. Ahl, Aiken, Atkinson, Barkley, Braun, Brown (R. B.), Brown (S.), Darlington, Dennison, Dietrich, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorpe, Hayden, Herron, Holliday, Hunter, Lagerman, Lappan, Littell, Metzgar, Meyer, Murray, Moore, Musgrave, McCandless, McCombs, McConnell, McClurg, McGimpsey, McKinley, Negley, Powers, Rolfe, Singlerly, Vierheller, Welsh, Gross—39.
For JAMES KERR—Messrs. Bates, Bruce, Buckley, Carr, Doyle, Duff, Epping, Fox (George), Kennedy, Miller, Nusser, O'Neil, Rodgers, Schwarm, Sorg, Taylor, Weldon—17.

And Mr. A. H. Gross was declared duly elected President.
Mr. BRUCE moved,

That the election of Mr. A. H. GROSS as President be made unanimous.

Which motion prevailed.

And the PRESIDENT elect took the oath of office, which was administered to him by Mr. BRUCE, the member designated for that purpose by the Clerk.

And the PRESIDENT having taken the Chair, administered the oath of office to the members elect, with the exception of Messrs. H. Darlington, Foster, Kernan and McCandless, (A. G.), who were not present.

And the roll being called, there were Present—Messrs. Ahl, Aiken, Atkinson, Barkley, Bates, Braun, Brown (R. B.), Brown (S.), Bruce, Buckley, Carr, Daniels, Darlington (B.), Dennison, Dietrich, Doyle, Duff, Epping, Evans, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorpe, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Moore, Murray, Musgrave, McCandless, (J. G.), McCombs, McConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Waring, Weldon, Welsh, Gross.

And thereupon the Clerk was directed to notify Common Council of the organization of this Council.

Which was done.

The Clerk of Common Council being introduced, announced the organization of that branch by the election of Mr. W. B. Negley as President.

Mr. AIKEN presented the following,

[1] Resolved, (Common Council concurring), That a Joint Committee of Five be appointed to act in conjunction with the Presidents of Councils to draft rules for Councils, and that the rules of 1875 be adopted until said Committee make report.

Which was read and passed.

And Messrs. Aiken and Littell were appointed on the part of Select Council.

The PRESIDENT appointed Master C. W. HOUSTON Page, and WILL. H. SIMS Assistant Page of Select Council.

Mr. BARCKLEY announced,

The death of Mr. A. G. McCANDLESS, member elect to Select Council from the Eleventh ward, and offered the following,

[2] Resolved, That the Mayor be requested to issue a proclamation for a Special Election for a member of Select Council from the Eleventh ward to fill the vacancy caused by the death of Mr. A. G. McCANDLESS.

Which was the rules having been suspended, read a third time and passed.

Mr. AIKEN presented the following,

Resolved, That the Chairman of Councils be requested to appoint a Standing Committee on legislation.

Which, the rules having been suspended, was read a third time and passed.

And on motion, Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

Pittsburgh, January 3, 1876.

On Monday, the third day of January, A. D. 1876, at two o'clock in the afternoon, the members elect of Common Council of the City of Pittsburgh convened in the Common Council chamber in said city, agreeably to the Act of Incorporation and supplements thereto.

And there being a quorum present, the convention was called to order by George Booth, Assistant City Clerk, who proceeded to read a certified transcript of "The general certificate of result of the votes cast for Common Councilmen in the City of Pittsburgh, at an election held February 16th, 1875," as the same appears on record in the office of the Prothonotary of the Court of Common Pleas in and for the County of Allegheny.

Whereby it appeared that the following named persons had been duly elected member of said Council:

For the 1st Ward.....J. F. Roth.
" 2d " Jno. Torrence,
" 3d " Jno. N. Neeb.
" 4th " W. W. Thompson.
" 5th " P. Clark.
" 6th " Wm. J. Flinn,
" 6th " Otto Helmsold.
" 7th " Samuel Mears.
" 8th " William Kerr.
" 8th " William Moore.
" 9th " George W. Kettenberg.
" 10th " Wm. J. Powers.
" 11th " Henry Voskamp.
" 12th " James M. Atcheson.
" 12th " Chris. Rott.
" 13th " Thos. H. Dickson.

For the 14th Ward.....W. H. Dauler,
" 14th " Jas. Reynolds.
" 15th " Jno. A. Fox.
" 16th " W. J. Feunerty.
" 16th " B. P. Coll.
" 17th " Wm. S. Robeson,
" 17th " Jos. G. Wainwright.
" 18th " Neil C. McCafferty.
" 19th " Jas. L. Ferson.
" 20th " Wm. B. Negley.
" 21st " Wm. F. Aull.
" 22d " D. B. Morrison.
" 23d " John Fritz.
" 24th " C. P. Hagan.
" 25th " G. G. Rahausen.
" 26th " Jno. Hughes.
" 26th " L. Hahn.
" 27th " F. S. Hogle.
" 28th " Wm. Kirchner.
" 29th " Robert H. Conway.
" 30th " Wm. H. Nantker.
" 31st " Wm. W. Nisbet.
" 32d " C. A. Boucher.
" 33d " Patrick Laughran.
" 34th " Patrick Foley.
" 35th " William Bell.
" 36th " Joseph Lemmer.

Which said certificate was then and there unanimously approved.

Whereupon, Council proceeded to an election for President thereof.

And on motion of Mr. FOLEY,

Mr. W. B. NEGLEY was elected President thereof, and took the oath of office, which was administered to him by Mr. AULL, the member designated for that purpose by the Clerk.

And the PRESIDENT having taken the Chair administered the oath of office to the members elect, with the exception of Messrs. Roth, Kerr, Morrison and Bell, who were not present.

And the roll being called, there were,

Present—Messrs. Atcheson, Aull, Boucher, Clark, Coll, Conway, Dickson, Dauler, Fox, Fritz, Feunerty, Ferson, Flinn, Foley, Hahn, Hagan, Helmsold, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley.

And thereupon the Clerk was directed to inform Select Council of the organization of this Council.

Which was done.

And the Clerk of Select Council being introduced, announced the organization of that body by the election of Mr. A. H. Gross as President thereof.

The PRESIDENT appointed Chas. W. Seanor, Page of Common Council.

On motion of Mr. Fox,

S. B. Cooper was elected to the office of Messenger of Councils by acclamation.

BUSINESS FROM SELECT COUNCIL.

S. C. No. 1. A Resolution for the appointment of a Joint Committee of Five to prepare Rules of Order for the government of Councils, and the adoption of rules of 1875 for use during the interim.

In S. C. January 3d, passed finally.

In which action Common Council concurred.

The Chair appointed Messrs. Thompson, Neeb and Rahausen on behalf of Common Council.

S. C. No. 2. A Resolution for a Special Election in the Eleventh ward for member of Select Council vice A. G. McCandless, dec'd.

In S. C. January 3d, passed finally.

In which action C. C. concurred.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, January 10, 1876.

No. 2.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

January 10, 1876.

Council met.

Absent—Mr. Waring.

The minutes of the last meeting were read and approved.

The President, administered the oath of office to Messrs. H. Darlington and Kernan; members elect.

The Clerk of Common Council being introduced announced that that body was ready to meet Select Council in Joint Session for the election of City Officers and for the purposes of receiving and opening the bids of, and selecting three of the banks, savings institutions, or banking companies to be custodians of the public funds.

Whereupon Select Council proceeded to the Common Council Chamber for that purpose. And being so met in

JOINT SESSION,

Councils proceeded to said election.

Mr. AIKEN nominated

ALEXANDER DEMPSTER for City Engineer.

Mr. DUFF nominated

JAS. H. RENO for City Engineer.

Mr. SAWYER, nominated

FRANK W. SMITH for City Engineer.

And the result of the voting was as follows:
For Alexander Dempster—

Messrs. Ahl, Aiken, Atkinson, Barclay, Braun, Brown, Dannels, Darlington, (B.), Darlington, (H.), Dietrich, Doyle, Froehlich, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Moore, Lappan, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Perry, Powers, Schild, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

For James H. Reno—

Messrs. Carr, Denniston, Duff, Epping, Evans, Felker, Foster, Fox (Geo.), Fox (Gregor), Geiger, Kennedy, Kernan, Kerr, Lagerman, Miller, Nusser, O'Neil, Ray, Reiman, Rodgers, Rolfe, Schwarm, Weldon.

For Frank W. Smith—

Mr. Sawyer.

Before the announcement of the vote Mr. Rolfe asked and obtained leave to change his vote from James H. Reno to Alexander Dempster

And Alexander Dempster received 89 votes.

James H. Reno " 36

Frank W. Smith received one vote.

And Alexander Dempster was declared duly elected City Engineer for the ensuing term.

Mr. AIKEN nominated

THOMAS H. PHELPS, for City Assessor.

Mr. DUFF nominated

KINSLEY T. O'CONNOR, for City Assessor.

And the result of the voting was as follows:

For Thomas H. Phelps—

Messrs. Ahl, Aiken, Barclay, Bates, Braun, Brown (R.B.), Brown (S.S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kennedy, Moore, Lappan, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Perry, Powers, Rolfe, Sawyer, Schild, Shipton, Singlerly, Sorg, Vierheller, Welsh, Gross.

For Kinsley T. O'Conner—

Messrs. Carr, Duff, Epping, Foster, Fox (Geo.), Fox (Gregor), Kernan, Kerr, Lagerman, Miller, McCombs, Nusser, O'Neil, Ray, Reiman, Rodgers, Schwarm, Taylor, Weldon.

And Thomas H. Phelps received 88 votes.

Kinsley T. O'Conner " 30

And Thomas H. Phelps was declared duly elected City Assessor for the ensuing term.

Mr. AIKEN nominated

DAVID M. MARTIN for City Ganger.

And the result of the voting was as follows :

For David M. Martin—

Messrs. Ahl, Aiken, Barclay, Bates, Braun, Brown (R.B.), Brown (S.S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Holliday, Hunter, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And David M. Martin received 94 votes and was declared duly elected City Ganger for the ensuing term.

Mr. AIKEN nominated

JAMES M. ATKINSON for Superintendent of the Water Works.

Mr. DUFF nominated

C.B. MOWRY for Superintendent of the Water Works.

And the result of the voting was as follows :

For James M. Atkinson—

Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Braun, Brown (R.B.), Brown (S.S.), Carr,

Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Epping, Evans, Felker, Foster, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Moore, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, Perry, Powers, Ray, Rodgers, Rolfe, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

For C. B. Mowry—
Messrs. Duff, Hayden, Kerr, Lagerman, O'Neil, Reiman, Sawyer, Weldon.

Before the result of the voting was announced, Mr. Carr asked and obtained leave to change his vote from Atkinson to Mowry.

And James M. Atkinson received 96 votes.
C. B. Mowry " 14 "

And James M. Atkinson was declared duly elected Superintendent of Water Works for the ensuing term.

Mr. AIKEN nominated
C. B. BOSTWICK for Assessor of Water Rents.

And the result of the voting was as follows:
For C. B. Bostwick—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Carr, Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Foster, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Ray, Rodgers, Rolfe, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And C. B. Bostwick having received 89 votes was declared duly elected Assessor of Water Rents for the ensuing term.

Mr. AIKEN nominated
JOS. CASKEY for Superintendent of Markets.

And the result of the voting was as follows:
For Joseph Caskey—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (S. S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And Jos. Caskey having received 102 votes was declared duly elected Superintendent of Markets for the ensuing term.

Mr. AIKEN, nominated,
JAMES F. MOORE for Clerk of Markets, North Side.

And the result of the voting was as follows:
For James F. Moore—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (S. S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton,

Singerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And James F. Moore having received 102 votes was declared duly elected Clerk of Markets, North Side, for the ensuing term.

Mr. AIKEN nominated
D. L. McDONALD for Clerk of Markets, South Side.

Mr. KERR nominated
THOMAS WARD for Clerk of Markets, South Side.

And the result of the voting was as follows:
For D. L. McDonald—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Felker, Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Moore, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Perry, Powers, Rolfe, Shipton, Singlerly, Sorg, Vierheller, Welsh, Gross.

For Thomas Ward—
Messrs. Atkinson, Brown (S. S.), Carr, Doyle, Duff, Epping, Evans, Foster, Fox (George), Fox (Gregor), Hayden, Kennedy, Kernan, Kerr, Lagerman, Lappan, Miller, Nusser, O'Neil, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Taylor, Weldon.

And D. L. McDonald received 67 votes.
Thomas Ward " 43 "

And D. L. McDonald was declared duly elected Clerk of Markets, South Side, for the ensuing term.

Mr. AIKEN nominated
FREDERICK JACOBS, for Master of the Monongahela Wharf, North Side.

Mr. HUGHES, nominated,
JNO. CARVEY for Master of Monongahela Wharf, North Side.

And the result of the voting was as follows:
For F. Jacobs—

Messrs. Aiken, Atkinson, Barkley, Braun, Brown (R. B.), Dannels, Darlington (B.), Darlington (H.), Dietrich, Doyle, Foster, Fox (George), Fox (Gregor), Froehlich, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Moore, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, Powers, Rodgers, Sawyer, Schild, Shipton, Singlerly, Sorg, Vierheller, Welsh, Gross.

For Jno. Carvey—
Messrs. Ahl, Brown (S. S.), Bruce, Buckley, Carr, Denniston, Duff, Epping, Evans, Felker, Geiger, Hayden, Kernan, Kerr, Lagerman, Lappan, McCombs, O'Neil, Perry, Reiman, Rolfe, Schwarm, Taylor, Weldon.

And Frederick Jacobs received 70 votes.
John Carvey " 39 "

And Frederick Jacobs was declared duly elected Master of the Monongahela Wharf, North Side, for the ensuing term.

Mr. AIKEN nominated
HARRY MOORE for Master of the Monongahela Wharf, South Side.

And the result of the voting was as follows:
For Harvey Moore—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (S. S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And Harry Moore received 102 votes, and was declared duly elected Master of the Monongahely Wharf, South Side, for the ensuing term.

Mr. AIKEN nominated

R. M. REED, for Building Inspector.

Mr. DUFF nominated

Z. J. BRADLEY for Building Inspector.

And the result of the voting was as follows:
For R. M. Reed—

Messrs. Ahl, Aiken, Atkinson, Barkley, Bates, Braun, Brown (R. B.), Brown (S. S.), Buckley, Dannels, Darlington (B.), Darlington (H.), Dietrich, Doyle, Evans, Felker, Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kernan, Moore, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Perry, Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

For B. J. Bradley—

Messrs. Bruce, Carr, Duff, Epping, Foster, Fox (George), Fox (Gregor), Hayden, Kennedy, Lagerman, Lappan, Miller, Nusser, O'Neil, Ray, Reiman, Sawyer, Weldon.

And R. M. Reed received 80 votes.

B. J. Bradley " 28

And R. M. Reed was declared duly elected Building Inspector for the ensuing term.

Mr. AIKEN nominated

JNO. McM. KING for Inspector of Ashes.

And the result of the voting was as follows:
For Jno. McM. King—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (S. S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And J. McM. King received 102 votes and was declared duly elected Inspector of Ashes for the ensuing term.

Mr. AIKEN nominated

JNO. M. FULLERTON for Inspector of Tobacco.

And the result of the voting was as follows:
For Jno. M. Fullerton—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (Samuel S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And Jno. M. Fullerton having received 102 votes, was declared duly elected Inspector of Tobacco for the ensuing term.

Mr. AIKEN nominated

JNO. F. HENTER for Commissioner of the First Street District.

And the result of the voting was as follows:
For Jno. M. Hunter—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (Samuel S.), Dannels, Darlington (B.), Darlington (H.), Denniston,

Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And Jno. M. Hunter having received 102 votes was declared duly elected Commissioner of the First Street District for the ensuing term.

Mr. AIKEN nominated

GEO. LINDERMAN as Commissioner of the Second Street District.

And the result of the voting was as follows:

For Geo. Linderman—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (Samuel S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Evans, Felker, Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Perry, Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And Geo. Linderman having received 102 votes was declared duly elected Commissioner of the Second Street District for the ensuing term.

Mr. AIKEN nominated

LEWIS LEWIS for Commissioner of the Third Street District.

Mr. CAIRN nominated

ROBERT ELLIS for Commissioner of the Third Street District.

And the result of the voting was as follows:
For Lewis Lewis—

Messrs. Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (Samuel S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Epping, Evans, Felker, Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Moore, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Perry, Powers, Rolfe, Sawyer, Schild, Shipton, Singlerly, Sorg, Vierheller, Weldon, Gross.

For Robert Ellis—

Messrs. Ahl, Bruce, Buckley, Carr, Duff, Foster, Fox (George), Fox (Gregor), Hayden, Kennedy, Kerr, Lagerman, Lappan, Miller, Nusser, Ray, Reiman, Rodgers, Taylor.

And Lewis Lewis received 74 votes.

And Robert Ellis received 30 votes.

And Lewis Lewis was declared duly elected Commissioner of the Third Street District for the ensuing term.

Mr. AIKEN nominated

D. EMERY for Commissioner of the Fifth Street District.

Mr. DUFF nominated

JNO PIERCE for Commissioner of the Fifth Street District.

And the result of the voting was as follows:

For D. Emery—

Messrs. Aiken, Barkley, Bates, Braun, Brown [R. B.], Brown [Sam'l S.], Dannels, Darlington [B.], Darlington [H.], Denniston, Doyle, Evans, Felker, Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Moore, Littell, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless,

McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, Perry, Rolfe, Schild, Shipton, Singlerly, Sorg, Vierheller, Welsh, Gross.

For Jno. Pierce—

Messrs. Ahl, Bruce, Buckley, Carr, Duff, Epping, Foster, Fox [George], Fox [Gregor], Hayden, Kennedy, Kernan, Kerr, Lagerman, Lappan, O'Neil, Ray, Reiman, Rodgers, Sawyer, Taylor, Weldon.

And D. Emery received.....71 votes.

And Jno. Pierce received.....35 votes.

And D. Emery was declared duly elected Commissioner of the Fifth Street District for the ensuing term.

Mr. DUFF nominated

JNO. KELLER for Commissioner of the Sixth Street District.

Mr. AIKEN nominated

CHARLES OTT for Commissioner of the Sixth Street District.

And the result of the voting was as follows:

For Charles Ott—

Messrs. Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (Sam'l S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Doyle, Evans, Felker, Fox (George), Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Littell, Moore, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, Powers, Rodgers, Rolfe, Schild, Shipton, Singlerly, Sorg, Vierheller, Welsh, Gross.

For Jno. Keller—

Messrs. Ahl, Bruce, Buckley, Carr, Duff, Epping, Foster, Fox (Gregor), Hayden, Kennedy, Kernan, Kerr, Lagerman, Lappan, O'Neil, Perry, Reiman, Sawyer, Schwarm, Taylor, Weldon.

And Charles Ott received.....77 votes.

And Jno. Keller received.....32 votes.

And Charles Ott was declared duly elected Commissioner for the Sixth Street District for the ensuing term.

Mr. AIKEN nominated

JNO. WILBERT for Commissioner of the Seventh Street District.

Mr. DUFF nominated

NICHOLAS FITZGERALD for Commissioner of the Seventh Street District.

And the result of the voting was as follows:

For Jno. Wilbert—

Messrs. Aiken, Barkley, Bates, Braun, Brown (R. B.), Brown (Sam'l S.), Dannels, Darlington (B.), Darlington (H.), Denniston, Evans, Felker, Froehlich, Geiger, Glass, Goldthorp, Herron, Holliday, Hunter, Jeremy, Littell, Moore, Metzgar, Meyer, Miller, Murray, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, Perry, Powers, Rolfe, Schild, Shipton, Singlerly, Sorg, Vierheller, Welsh, Gross.

For N. Fitzgerald—

Messrs. Ahl, Bruce, Buckley, Carr, Doyle, Duff, Epping, Foster, Fox (George), Fox (Gregor), Hayden, Kennedy, Kernan, Kerr, Lagerman, Lappan, O'Neil, Rodgers, Sawyer, Schwarm, Taylor, Weldon.

And Jno. Wilbert received 68 votes.

Nicholas Fitzgerald " 37 "

And Jno. Wilbert was declared duly elected Commissioner of the Seventh Street District for the ensuing term.

Mr. AIKEN nominated

JAMES M. HUNTER for Commissioner of the First Road District.

Mr. REYNOLD, nominated,

J. J. O'DONNELL for Commissioner of the First Road District.

And the result of the voting was as follows:

For James M. Hunter—

Messrs. Aiken, Barkley, Bates, Braun, Brown (R. B.), Bruce, Dannels, Darlington (B.), Denniston, Dietrich, Doyle, Epping, Felker, Fox (George), Froehlich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Littell, Moore, Metzgar, Meyer, Miller, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Powers, Rolfe, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

For J. J. O'Donnell—

Messrs. Ahl, Buckley, Carr, Duff, Foster, Fox (Gregor), Glass, Hayden, Kennedy, Kerr, Lagerman, Lappan, Nusser, O'Neil, Reiman, Rodgers, Sawyer, Weldon.

And James M. Hunter received 72 votes.

J. J. O'Donnell, " 32 "

And James M. Hunter was declared duly elected Commissioner of the First Road District for the ensuing term.

Mr. AIKEN, nominated.

RICHARD THOMPSON for Commissioner of the Second Road District.

And the result of the voting was as follows:

For Richard Thompson—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Dannels, Darlington (B.), Denniston, Dietrich, Doyle, Duff, Epping, Evans, Felker, Fox (George), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

And Richard Thompson having received 99 votes was declared duly elected Commissioner of the Second Road District for the ensuing term.

Mr. AIKEN nominated

W. T. BOWERS for Commissioner of the Third Road District.

And the result of the voting was as follows:

For W. T. Bowers—

Messrs. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Dannels, Darlington (B.), Denniston, Dietrich, Doyle, Duff, Epping, Evans, Felker, Fox (George), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

And W. T. Bowers having received 99 votes, was declared duly elected Commissioner of the Third Road District for the ensuing term.

Mr. AIKEN nominated

S. B. COOPER for Messenger to Councils.

And the result of the voting was as follows:

For S. B. Cooper—

Mr. Ahl, Aiken, Barkley, Bates, Braun, Brown (R. B.), Bruce, Dannels, Darlington (B.), Denniston, Dietrich, Doyle, Duff, Epping, Evans, Felker, Fox (George), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kerr, Moore, Lagerman, Lappan, Littell, Metzgar, Meyer, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Welsh, Gross.

And S. B. Cooper having received 93 votes was declared duly elected Messenger to Councils for the ensuing term.

Mr. AIKEN moved.

That Councils postpone for the present the election of Board and Bark Measurers. Which motion prevailed.

The PRESIDENT of Select Council presented, A Communication from the Controller covering the bids of the several banks, savings institutions and banking companies for the custody of the public funds.

The Communication was read and accepted.

And the bids being opened, were as follows:

The Smithfield National Bank bid three (3) per cent; the Pittsburgh Savings Bank bid four and one quarter (4 1/4) per cent; the United Savings Bank bid four (4) per cent.

Mr. AULL moved.

That the Smithfield National Bank, the Pittsburgh Savings Bank, and the United States Savings Bank appearing to be the highest and best bidders be chosen, elected and designated to be depositories and custodians of the public money or funds of the City for the ensuing year.

Upon which motion a division was had and there were fifty ayes and twenty-one noes. So the motion prevailed.

And the Smithfield National Bank, the Pittsburgh Savings Bank and the United States Savings Bank were chosen, elected and designated to be the depositories and custodians of the public money or funds of the City for the ensuing year.

Mr. MACCONNELL presented the following:

Resolved, That the rules of Councils be amended so far as to allow the Railroad Committee to report in Select in place of Common Council.

Which was read and laid on the table.

Mr. CARR presented the following:

Resolved, That the minority in City Councils hereby tender their thanks to the dominant party for the impartial and considerate manner in which they have desposed of the offices at their disposal.

Which was read.

Mr. AIKEN moved.

To amend by striking out the words "Impartial."

Which motion prevailed.

And the resolution was so amended, and as amended was passed.

The PRESIDENTS announced the following Joint Standing Committees for the year 1876:

FINANCE COMMITTEE.

Select—John Snipton, David Aiken, Jr., James Littell, R. H. Negley, R. B. Brown, B. Darlington, James B. Murray, R. S. Waring, William McClurg, A. B. Hayden, Benjamin Singler, Samuel S. Brown, James Lappan, A. W. Foster, William A. Herron, S. Dietrich.

Common—W. W. Thomson, John Hughes, John A. Fox, John N. Neeb, G. G. Rahausser, W. H. Nantker, Jr., R. H. Conway, W. F. Aull, W. W. Nisbet, William Kerr, John Torrence, H. Voskamp, W. J. Flinn, James M. Atcheson, J. G. Wainwright, Jas. L. Ferson, D. B. Morrison.

WATER COMMITTEE.

Select—Wm. B. Hunter, James B. Glass, J. Guy McCandless, S. H. Goldthorpe, Wm. A. Herron, John M. Kennedy, J. W. McGimpsey, N. P. Sawyer, Gregor Fox.

Common—John Hughes, Jos. G. Wainwright, P. Foley, W. J. Flinn, John Torrence, H. Voskamp, S. Mears, N. C. McCafferty, T. H. Dickson, James M. Atcheson.

STREET COMMITTEE.

Select—J. Ahl, John Froehlich, H. F. Daniels, H. Darlington, William Doyle, William McClurg, W. T. Taylor, Henry Metzgar, C. Jeremy, J. G. Weldon, W. J. Moore, Wm. M. McCombs, M. Rodgers, J. D. Buckley, F. Schild, G. S. Holliday, A. B. Hayden, M. M. Felker, T. W. Welsh, Henry Meyer, P. Carr.

Common—W. W. Thomson, John Torrence, W. J. Flinn, S. Mears, Jos. G. Wainwright, C. A. Boucher, W. J. Fennerty, John Hughes, John A. Fox, W. W. Nisbet, R. H. Conway, John N. Neeb, P. Clark, N. C. McCafferty, Wm. Moore, C. P. Hagan, Wm. J. Powers, Henry Voskamp, John F. Roth, Wm. Kirchner, J. M. Atcheson, Jos. Lemer, Geo. W. Kettenberg.

POLICE COMMITTEE.

Select—J. Guy McCandless, H. Darlington, J. S. Atkinson, B. Darlington, S. Dietrich, H. D. Rolfe, James Lappan, Joseph Miller, S. Barclay, S. McKinley, James Kerr, Gregor Fox, Henry Meyer, John O'Neil.

Common—John A. Fox, W. W. Thomson, P. Laughran, P. Foley, L. Hahn, T. H. Dickson, Wm. Kerr, James M. Atcheson, Jos. G. Wainwright, James Reynolds, John N. Neeb, J. L. Ferson, F. L. Hogle, Chris Rott, Wm. Moore, Geo. W. Kettenberg.

CITY PROPERTY COMMITTEE.

Select—John A. Musgrave, Wm. B. Hunter, R. N. Ray, S. Barclay, William M. McCombs, G. L. Braun, John M. Kennedy, J. W. McGimpsey, A. L. Reiman.

Common—W. S. Robeson, William Kerr, William Bell, P. Laughran, Wm. Kirchner, James Reynolds, James L. Ferson, Henry Voskamp, John N. Neeb, W. J. Fennerty, Geo. W. Kettenberg.

RAILROAD COMMITTEE.

Select—D. Aiken, Jr., John G. MacConnell, Jacob Nusser, B. Singler, M. M. Felker, R. Perry, J. B. Epping, R. N. Ray.

Common—William Kerr, Jos. Lemer, W. S. Robeson, William Kirchner, W. J. Fennerty, Chris Rott, O. Helmsold, P. Clark, W. H. Nantker, Jr.

MONONGAHELA WHARF COMMITTEE.

Select—W. T. Taylor, H. F. Dannals, John T. Bates, J. P. Vierbeller, H. D. Rolfe, George Fox, J. H. Sorg, S. S. Brown.

Common—G. G. Rahausser, John Torrence, Jos. Lemer, P. Laughran, L. Hahn, W. J. Powers, R. H. Conway, Wm. Moore, O. Helmsold, G. W. Kettenberg.

ALLEGHENY WHARF COMMITTEE.

Select—Wm. A. Herron, A. L. Reiman, Jacob Schwarm.

Common—W. J. Fennerty, O. Helmold, B. F. Coll, P. Clark.

COMMITTEE ON APPEALS.

Select—J. D. Buckley, P. Carr, C. L. Powers, Joseph Miller, D. F. Geiger.

Common—W. J. Fennerty, N. C. McCafferty, John Fritz, W. H. Dauler, C. P. Hagan.

COMMITTEE ON GAS LIGHTING.

Select—John Shipton, James Littell, S. H. Goldthorp, D. D. Bruce, James G. Weldon, S. McKinley, C. Evans.

Common—Chris Rott, John A. Fox, Jos. Lemer, G. G. Rahausser, John Fritz, W. S. Robeson, D. B. Morrison, C. A. Boucher.

COMMITTEE ON ROADS.

Select—J. G. MacConnell, H. Metzgar, D. D. Bruce, C. Evans, H. Lagerman, J. T. Denniston.

Common—W. F. Aull, James Reynolds, D. B. Morrison, James L. Ferson, John Fritz, T. H. Dickson, W. H. Dauler.

MARKET COMMITTEE.

Select—G. L. Braun, J. P. Vierheller, J. A. Musgrave, James B. Glass, Jacob Schwarm, F. Schild, H. Lagerman, W. J. Moore.

Common—W. F. Aull, W. J. Flinn, P. Foley, L. Hahn, Chris. Rott, Wm. Moore, James Reynolds, John F. Roth, W. H. Dauler.

CITY PRINTING.

Select—John Froehlich, R. Perry, William Doyle, Alexander W. Foster, R. H. Negley, J. B. Epping.

Common—John A. Fox, P. Foley, William Bell, W. J. Powers, S. Mears, C. P. Hagan, C. A. Boucher, W. F. Aull.

COMMITTEE ON CLAIMS AND ACCOUNTS.

Select—Thomas Kernan, D. F. Geiger, J. K. P. Duff, T. W. Welsh, M. Rogers, Jacob Nusser.

Common—John Fritz, B. F. Cole, F. L. Hogle, W. W. Nisbet, C. P. Hagan, William Kirchner, P. Clark.

COMMITTEE ON ORDINANCES.

Select—J. Ahl, J. G. MacConnell, W. J. Moore, John T. Denniston, R. B. Brown, James Kerr.

Common—W. W. Thomson, S. Mears, R. H. Conway, W. S. Robeson, W. H. Nantker, Jr., T. H. Dickson, W. J. Powers, C. A. Boucher.

COMMITTEE ON SURVEYS.

Select—J. S. Atkinson, R. H. Negley, James B. Murray, N. P. Sawyer, R. S. Waring, C. L. Powers, George Fox, J. O'Neill.

Common—W. F. Aull, John Hughes, William Bell, N. C. McCafferty, P. Langhran, D. B. Morrison, W. W. Nisbet, L. Hahn, G. G. Rahausser.

COMMITTEE ON RETRENCHMENT AND REFORM.

Select—John Shipton, C. Jeremy, J. K. P. Duff.

Common—P. Foley, William Bell, W. H. Nantker, Jr., W. W. Thomson.

COMMITTEE ON BRIDGES.

Select—G. S. Holliday, Thomas Kernan.
Common—F. L. Hogle, B. F. Coll, John F. Roth.

COMMITTEE ON WOODEN BUILDINGS.

Select—Jacob Nusser, John T. Bates, J. H. Sorg.

Common—O. Helmold, F. L. Hogle, B. F. Coll, John F. Roth.

And the business of the Joint Session being over Select Council returned to its own chamber.

And on motion, adjourned.

attest E. S. MORROW

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

January 10, 1875.

Council met.

Absent—Mr. Roth.

On motion, reading of the minutes was dispensed with.

Messrs. Bell, Kerr and Morrison being present, took the oath of office, administered to them by the President.

Mr. Fox presented the following:

No. 1. *Resolved*, That the Controller be and is hereby directed to certify a warrant upon the Mayor in favor of Henry Engel, Fifteenth ward, for the sum of Fifty dollars and forty-nine cents (\$50.49), for overpaid taxes erroneously assessed, as per certificate of the assessor, hereto attached, and charge Contingent Fund.

Referred to Finance Committee.

On motion, the clerk was directed to announce to Select Council that Common Council were now ready to meet that body in Joint Session for the election of City Officers and for the purposes of receiving and opening the bids of, and selecting three of the banks, savings institutions, or bank companies to be custodians of the public funds.

Which was done.

And being so met in

JOINT SESSION.

Councils proceeded to said election.

Mr. AIKEN dominated

ALEXANDER DEMPSTER for City Engineer.

Mr. DUFF nominated

JAS. H. RENO for City Engineer.

Mr. SAWYER nominated

FRANK W. SMITH for City Engineer.

And the result of the voting was as follows:

For Alexander Dempster—

Messrs. Acheson, Aull, Bell, Clark, Conway, Dixon, Fox, Ferson, Hahn, Hughes, Kerr, Kettenberg, Mears, Moore, Morrison, McCafferty, Neeb, Nisbet, Powers, Rahausser, Rott, Thompson, Torrence, Voscamp, Wainwright, Negley, Flinn.

For Jas. H. Reno—

Messrs. Coll, Dauler, Fritz, Fennerty, Foley, Hagan, Helmold, Hogle, Kirchner, Langhran, Lemmer, McCafferty, Reynolds.

For Frank W. Smith—None.
Before the announcement of the vote, Mr. Rolfe asked and obtained leave to change his vote from James H. Reno to Alexander Dempster.

And Alexander Dempster received 69 votes.
James H. Reno " 36 "
Frank W. Smith " 1 "

And Alexander Dempster was declared duly elected City Engineer for the ensuing term.

Mr. AIKEN nominated
THOMAS H. PHELPS for City Assessor.
Mr. DUFF nominated

KINSLEY T. O'CONNOR for City Assessor.

And the result of the voting was as follows:
For Thomas H. Phelps—

Messrs. Acheson, Aull, Bell, Boucher, Dixon, Dauler, Fox, Fritz, Ferson, Hahn, Helmsold, Hughes, Kerr, Kettenberg, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

For Kinsley T. O'Conner—
Messrs. Clark, Coll, Conway, Fennerty, Foley, Hagan, Hogle, Kirshner, Laughran, Lemmer, Reynolds.

And Thomas H. Phelps received 98 votes.
Kinsley T. O'Conner " 30 "

And Thomas H. Phelps was declared duly elected City Assessor for the ensuing term.

Mr. AIKEN nominated
DAVID M. MARTIN for City Gauger.

And the result of the voting was as follows:
For David M. Martin—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Helmsold, Hogle, Kettenberg, Laughran, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And David M. Martin received 94 votes and was declared duly elected City Gauger for the ensuing term.

Mr. AIKEN nominated
JAMES M. ATKINSON for Superintendent of Water Works.

Mr. DUFF nominated
C. B. MOWRY for Superintendent of Water Works.

And the result of the voting was as follows:
For James M. Atkinson—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

For C. B. Mowry—
Messrs. Coll, Foley, Kirshner, Laughran, Lemmer, Reynolds.

Before the result of the voting was announced, Mr. Carr asked and obtained leave to change his vote from Atkinson to Mowry.

And James M. Atkinson received 96 votes.
C. B. Mowry " 14 "

And James M. Atkinson was declared duly elected Superintendent of Water Works for the ensuing term.

Mr. AIKEN nominated
C. B. BOSTWICK for Assessor of Water Rents.

And the result of the voting was as follows:
For C. B. Bostwick—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Conway, Dixon, Dauler, Fox, Fritz, Ferson, Hahn, Hagan, Hogle, Hughes, Kettenberg, Laughran, Lemmer, Mears, Morrison, McCafferty, Nantker, Neeb, Nisbet, Rahauser,

Rott, Thompson, Torrence, Wainwright, Negley, Flinn.

And C. B. Bostwick having received 89 votes was declared duly elected Assessor of Water Rents for the ensuing term.

Mr. AIKEN nominated
JOS. CASKEY for Superintendent of Markets.

And the result of the voting was as follows:
For Joseph Caskey—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And Jos. Caskey having received 102 votes was declared duly elected Superintendent of Markets for the ensuing term.

Mr. AIKEN nominated
JAMES F. MOORE for Clerk of Markets, North Side.

And the result of the voting was as follows:
For James F. Moore—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And James F. Moore having received 102 votes was declared duly elected Clerk of Markets, North Side, for the ensuing term.

Mr. AIKEN nominated
D. L. McDONALD for Clerk of Markets, South Side.

Mr. KERR nominated
THOMAS WARD for Clerk of Markets, South Side.

And the result of the voting was as follows:
For D. L. McDonald—

Messrs. Acheson, Aull, Bell, Conway, Dixon, Dauler, Fox, Ferson, Hahn, Hughes, Kerr, Kettenberg, Mears, Moore, Morrison, Nantker, Neeb, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

For Thomas Ward—
Messrs. Boucher, Clark, Coll, Fritz, Fennerty, Foley, Hagan, Helmsold, Hogle, Kirshner, Laughran, Lemmer, McCafferty, Nisbet, Powers, Reynolds.

And D. L. McDonald received 67 votes.
Thomas Ward " 43 "

And D. L. McDonald was declared duly elected Clerk of Markets, South Side, for the ensuing term.

Mr. AIKEN nominated
FREDERICK JACOBS for Master of the Monongahela Wharf, North Side.

Mr. HUGHES nominated
JNO. CARVEY for Master of the Monongahela Wharf, North Side.

And the result of the voting was as follows:
For F. Jacobs—

Messrs. Acheson, Aull, Bell, Boucher, Dixon, Dauler, Fox, Ferson, Hahn, Hogle, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, Neeb, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

For Jno. Carvey—
Messrs. Coll, Conway, Fritz, Fennerty, Foley, Hagan, Helmsold, Hughes, Kirshner, Laughran, McCafferty, Nantker, Nisbet, Powers, Reynolds.

And Frederick Jacobs received 70 votes.
John Carvey " 39 "

And Frederick Jacobs was declared duly

elected Master of the Monongahela Wharf, North Side, for the ensuing term.

Mr. AIKEN nominated

HARRY MOORE for Master of the Monongahela Wharf, South Side.

And the result of the voting was as follows:
For Harry Moore—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And Harry Moore received 102 votes, and was declared duly elected Master of the Monongahela Wharf, South Side, for the ensuing term.

Mr. AIKEN nominated

R. M. REED for Building Inspector.

Mr. DUFF nominated

B. J. BRADLEY for Building Inspector.

And the result of the voting was as follows:
For R. M. Reed—

Messrs. Acheson, Aull, Bell, Boucher, Conway, Dixon, Dauler, Fox, Fritz, Ferson, Hahn, Hughes, Kerr, Kettenberg, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

For B. J. Bradley—

Messrs. Clark, Fennerty, Foley, Hagan, Helmsold, Hogle, Kirshner, Laughran, Lemmer, Powers.

And R. M. Reed received 80 votes.

B. J. Bradley " 28 "

And R. M. Reed was declared duly elected Building Inspector for the ensuing term.

Mr. AIKEN nominated

JNO. McM. KING for Inspector of Ashes.

And the result of the voting was as follows:
For Jno. McM. King—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And J. McM. King received 102 votes, and was declared duly elected Inspector of Ashes for the ensuing term.

Mr. AIKEN nominated

JNO. M. FULLERTON for Inspector of Tobacco.

And the result of the voting was as follows:
For Jno. M. Fullerton—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And Jno. M. Fullerton having received 102 votes, was declared duly elected Inspector of Tobacco for the ensuing term.

Mr. AIKEN nominated

JNO. M. HUNTER for Commissioner of the First Street District.

And the result of the voting was as follows:
For Jno. M. Hunter—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott,

Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And Jno. M. Hunter having received 102 votes was declared duly elected Commissioner of the First Street District for the ensuing term.

Mr. AIKEN nominated

GEO. LINDERMAN as Commissioner of the Second Street District.

And the result of the voting was as follows:
For Geo. Linderman—

Messrs. Acheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

And Geo. Linderman having received 102 votes was declared duly elected Commissioner of the Second Street District for the ensuing term.

Mr. AIKEN nominated

LEWIS LEWIS for Commissioner of the Third Street District.

Mr. CARR nominated

ROBERT ELLIS for Commissioner of the Third Street District.

And the result of the voting was as follows:
For Lewis Lewis—

Messrs. Acheson, Aull, Bell, Boucher, Conway, Dixon, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Hughes, Kerr, Kettenberg, Mears, Moore, McCafferty, Nantker, Neeb, Rahauser, Rott, Thompson, Torrence, Wainwright, Negley, Flinn.

For Robert Ellis—

Messrs. Clark, Foley, Helmsold, Hogle, Kirshner, Laughran, Lemmer, Nisbet, Powers, Reynolds, Voskamp.

And Lewis Lewis received 74 votes.

Robert Ellis " 39 "

And Lewis Lewis was declared duly elected Commissioner of the Third Street District for the ensuing term.

Mr. AIKEN nominated

D. EMERY for Commissioner of the Fifth Street District.

Mr. DUFF nominated

JNO. PIERCE for Commissioner of the Fifth Street District.

And the result of the voting was as follows:
For D. Emery—

Messrs. Acheson, Aull, Bell, Boucher, Conway, Dixon, Dauler, Fox, Fritz, Ferson, Hahn, Hughes, Kerr, Mears, Moore, Morrison, Rahauser, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Flinn.

For Jno. Pierce—

Messrs. Clark, Coll, Fennerty, Foley, Hagan, Helmsold, Hogle, Kirshner, Laughran, Lemmer, McCafferty, Reynolds.

And D. Emery received 71 votes.

Jno. Pierce " 35 "

And D. Emery was declared duly elected Commissioner of the Fifth Street District for the ensuing term.

Mr. DUFF nominated

JNO. KELLER for Commissioner of the Sixth Street District.

Mr. AIKEN nominated

CHARLES OTT for Commissioner of the Sixth Street District.

And the result of the voting was as follows:
For Charles Ott—

Messrs. Acheson, Aull, Bell, Conway, Dixon, Dauler, Fox, Fritz, Ferson, Hahn, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, Neeb, Powers, Rahauser, Rott, Roberson, Thompson, Torrence, Voskamp, Wainwright, Flinn, Negley.

For John Keller—
Messrs. Boucher, Clark, Fennerty, Foley,
Hagan, Helms, Kirsner, Laughran, Mc-
Cafferty, Nantker, Nisbet, Reynolds,
And Charles Ott received.....77 votes.
And John Keller received.....32 votes.
And Charles Ott was declared duly elected
Commissioner of the Sixth Street District for
the ensuing term.

Mr. AIKEN nominated
JNO. WILBERT for Commissioner of
the Seventh Street District.

Mr. DUFF nominated
NICHOLAS FITZGERALD for Commis-
sioner of the Seventh Street District.

And the result of the voting was as follows:
For John Wilbert—
Messrs. Acheson, Aull, Boucher, Conway,
Dixon, Dauler, Fox, Fritz, Ferson, Hahn,
Hughes, Kerr, Kettenberg, Mears, Moore,
Nantker, Neeb, Nisbet, Rahausen, Thompson,
Torrence, Voskamp, Wainwright, Flinn, Neg-
ley.

For Nicholas Fitzgerald
Messrs. Bell, Clark, Coll, Fennerty, Foley,
Hagan, Helms, Hogle, Kirsner, Laugh-
ran, Lemmer, McCafferty, Powers, Reynolds,
Robeson

And John Wilbert received.....68 votes.
And Nicholas Fitzgerald.....37 votes.
And John Wilbert was declared duly elec-
ted Commissioner of Seventh Street District
for the ensuing term.

Mr. AIKEN nominated
JAMES HUNTER for Commissioner of
the First Road District.

Mr. REYNOLD nominated
J. J. O'DONELL for Commissioner of
the First Road District.

And the result of the voting was as follows:
For James Hunter—
Messrs. Acheson, Aull, Boucher, Coll, Con-
way, Dixon, Fox, Fritz, Fennerty, Ferson,
Hahn, Hughes, Kerr, Kettenberg, Mears,
Moore, Nantker, Neeb, Rahausen, Rott,
Thompson, Torrence, Voskamp, Wainwright,
Flinn, Negley.

For J. J. O'Donnell—
Clark, Dauler, Foley, Hagan, Helms, Hogle,
Kirsner, Laughran, Lemmer, McCaf-
ferty, Nisbet, Powers, Reynolds, Robeson.
And Jas. Hunter received.....72 votes.
And J. J. O'Donnell received.....32 votes.
And James Hunter was declared duly elec-
ted Commissioner of the First Road District
for the ensuing term.

Mr. AIKEN nominated
RICHARD THOMPSON for Commissioner
of the Second Road District.

And the result of the voting was as follows:
For Richard Thompson—
Messrs. Acheson, Aull, Bell, Boucher, Coll,
Conway, Dixon, Dauler, Fox, Fritz, Fennerty,
Ferson, Hahn, Hagan, Helms, Hogle,
Hughes, Kerr, Kettenberg, Lemmer, Mears,
Moore, Morrison, McCafferty, Nantker, Neeb,
Nisbet, Power, Rahausen, Rott, Thompson,
Torrence, Voskamp, Wainwright, Negley,
Flinn.

And Richard Thompson having received
99 votes was declared duly elected Commis-
sioner of the Second Road District for the
ensuing term.

Mr. AIKEN nominated,
W. T. BOWERS for Commissioner of the
Third Road District.

And the result of the voting was as fol-
lows:

For W. T. Bowers—
Messrs. Acheson, Aull, Bell, Boucher,
Clark, Coll, Conway, Dixon, Dauler, Fox,
Fritz, Fennerty, Ferson, Hahn, Hagan, Hel-

ms, Hogle, Hughes, Kerr, Kettenberg,
Lemmer, Mears, Moore, Morrison, McCafferty,
Nantker, Neeb, Nisbet, Powers, Rahausen,
Rott, Thompson, Torrence, Voskamp, Wain-
wright, Negley, Flinn.

And W. T. Bowers having received 99 votes
was declared duly elected Commissioner of
the Third Road District for the ensuing
term.

Mr. AIKEN nominated,
S. B. COOPER for Messenger to Coun-
cils.

And the result of the voting was as follows:
For S. B. Cooper—

Messrs. Acheson, Aull, Bell, Boucher,
Clark, Coll, Conway, Dixon, Dauler, Fox,
Fritz, Fennerty, Ferson, Hahn, Hagan, Hel-
ms, Hogle, Hughes, Kerr, Kettenberg,
Lemmer, Mears, Moore, Morrison, McCafferty,
Nantker, Neeb, Nisbet, Powers, Rahausen,
Rott, Thompson, Torrence, Voskamp, Wain-
wright, Negley, Flinn.

And S. B. Cooper having received 93 votes
was declared duly elected Messenger to
Councils for the ensuing term.

Mr. AIKEN moved,
That Councils postpone for the pre-
sent the election of Board and Bark Measur-
ers.

Which motion prevailed.

The PRESIDENT of Select Council presented,
A Communication from the Controller
covering the bids of the several banks, sav-
ings institutions and banking companies for
the custody of the public funds.

The Communication was read and accepted.
And the bids being opened, were as fol-
lows:

The Smithfield National Bank bid three (3)
per cent; the Pittsburgh Savings Bank bid
four and one quarter (4 1/4) per cent; the Unit-
ed Savings Bank bid four (4) per cent.

Mr. AULL moved,
That the Smithfield National Bank,
the Pittsburgh Savings Bank, and the United
Savings Bank appearing to be the
highest and best bidders be chosen, elected
and designated to be depositories and custo-
dians of the public money or funds of the
City for the ensuing year.

Upon which motion a division was had
and there were fifty ayes and twenty-one
noes.

So the motion prevailed.

And the Smithfield National Bank, the
Pittsburgh Savings Bank and the United
Savings Bank were chosen, elected and desig-
nated to be the depositories and custodians
of the public money or funds of the City for
the ensuing year.

Mr. MACCONNELL presented the following:

Resolved, That the rules of Councils be
amended so far as to allow the Railroad Com-
mittee to report in Select in place of Com-
mon Council.

Which was read and laid on the table.

Mr. CARR presented the following:

Resolved, That the minority in City Coun-
cils hereby tender their thanks to the domi-
nant party for the impartial and considerate
manner in which they have disposed of the
offices at their disposal.

Which was read.

Mr. AIKEN moved,
To amend by striking out the words

"Impartial."

Which motion prevailed.

And the resolution was so amended, and as
amended was passed.

And the business of the Joint Session be-
ing over Select Council returned to its own
chamber.

Mr. AULL presented,

No. 2. An Act regulating the representation and election of members of Select Council of the several wards of the city or cities of the second class of this commonwealth and authorizing the councils of such cities to change the boundary lines and to increase or diminish the number of the wards thereof.

Which was read.

Mr. BOUCHER moved,

To postpone action until the bill is printed and laid on the members desks.

Which prevailed.

Adjourned.

(No 159.)

AN ORDINANCE — Authorizing the assessment of damages and benefits caused by the grading of Wylie avenue, from Kirkpatrick street to Herron avenue.

SECTION 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the benefits and damages caused by the grading of Wylie avenue, from Kirkpatrick street to Herron avenue, in accordance with the provisions of an Act of Assembly, entitled "An Act concerning streets and sewers in the city of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time be and the same is hereby repealed, so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils this 29th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,

Clerk of Common Council.

Approved December 31, 1875.

Recorded in Ordinance Book, Vol. 4, page 173,
January 21, 1876. ja27

(No. 149.)

AN ORDINANCE—To amend an Ordinance entitled "An Ordinance to carry out the provisions of Section 6 of Act of Assembly, entitled 'An Act dividing the cities of this State into three classes, regulating the passage of Ordinances, providing for contracts for supplies and work for said cities, &c.,' approved the 23d day of May, A. D. 1874; also, providing for the publishing of the Municipal Record."

SECTION 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Section 1 of an Ordinance entitled "An Ordinance to carry out the provisions of Section 6 of an Act of Assembly, entitled 'An Act dividing the cities of this State into three classes, regulating the passage of Ordinances, providing for contracts for supplies and work for said cities, &c.,' approved the 23d day of May, A. D. 1874; also providing for the publishing of the Municipal Record," be amended to read as follows:

SECTION 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled and it is hereby ordained and enacted by the authority of the same, That the City Controller shall on the third Tuesday of March in each and every year, by advertisements in the official news-

papers of the city for at least two weeks before the letting herein provided for, invite sealed proposals for contracts to do the newspaper printing, job printing and binding, the publishing of the Municipal Record, and to furnish stationery, paper and fuel necessary for the use of Councils and the various departments of the city government. That separate proposals shall be invited and separate contracts awarded for newspaper printing, publishing the Municipal Record and for fuel, but stationery and paper may be taken together as well as job printing and binding and be included in one proposal and contract. The proposals for contracts shall be addressed to the City Controller, and by him transferred to the Chairman of the committee having the letting of the same, at or before 12 o'clock at noon of the day provided for the letting of the said contract. That each of said proposals shall be accompanied by a bond with two sufficient sureties in double the amount of the bid, conditioned for the faithful performance of the obligations of such contract, said bond to be approved by the City Attorney. Provided that the first advertisement for proposals for newspaper printing under this Ordinance shall be inserted by the City Controller for a period of two weeks, succeeding the first Tuesday of January, 1876, which proposals shall be for doing the said newspaper printing for a period commencing the first Tuesday of February, 1876 and expiring on the third Tuesday of April, 1877.

Ordained and enacted into a law in Councils, this 29th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest: E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest: GEO. BOOTH,

Clerk of Common Council.

Approved December 31, 1875.

Recorded in Ordinance Book, vol. 4, page 173,
January 21, 1876. a27

(No 157.)

AN ORDINANCE — Authorizing the opening of Second street, from Penn avenue to Duquesne way.

SECTION 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open within 60 days from the date of the passage of this Ordinance, Second street, from Penn avenue to Duquesne way, at a width of 60 feet, in accordance with a plan on file in the Engineer's Office, approved by Ordinance passed by Councils 15th day of November, 1875.

The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an act of Assembly, entitled "An act concerning streets and sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

SEC. 2. That any ordinance or part of ordinance conflicting with the passage of this ordinance, at the present time, be and the same is hereby repealed so far as the same affects this ordinance.

Ordained and enacted into law, in Councils this 29th day of December, A. D. 1875.

A. H. GROSS,
President of Select Council.

Attest—E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,

Clerk of Common Council.

Approved Dec., 31, 1875.

Recorded in Ordinance Book, Vol. 4, page, 178
Jan. 21, 1876. ja27

(No. 153.)

AN ORDINANCE — Authorizing the
Grading, Paving and Curbing of Duquesne way from Fourth street to Water street.

SECTION 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the Grading, Paving and Curbing of Duquesne way from Fourth street to Water street, and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto, and Ordinances of Councils relative to the same.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this ordinance, at the present time, be and the same is hereby repealed so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils, this 29th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,
Clerk of Common Council.

Approved December 31, 1875.
Recorded in Ordinance Book, Vol. 4, page 175,
January 21, 1876. ja27

(No. 154.)

AN ORDINANCE — Authorizing the
Grading, Paving and Curbing of Second street from Penn avenue to Duquesne way.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the Grading, Paving and Curbing of Second street, from Penn avenue to Duquesne way, and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto, and ordinances of Councils relative to the same.

SEC. 2. That any ordinance or part of Ordinance conflicting with the passage of this Ordinance, at the present time, be and the same is hereby repealed so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils this 30th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest: E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest: GEO. BOOTH,
Clerk of Common Council.

Approved Dec. 31, 1875.
Recorded in Ordinance Book, vol. 4, page 176,
January 21, 1876. ja27

(No. 155.)

AN ORDINANCE — Authorizing the
Grading, Paving and Curbing of First street from Penn avenue to Duquesne way.

SECTION 1. Be it ordained and enacted by the city of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the Grading, Paving and Curbing of First street from Penn avenue to Duquesne way, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance, at the present time, be and the same is hereby repealed so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils, this 29th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,
Clerk of Common Council.

Approved December 31, 1875.
Recorded in Ordinance Book, Vol. 4, page 176,
January 21, 1876. ja27

(No. 150.)

AN ORDINANCE — Authorizing the
Grading and Paving of Green alley, from Penn avenue to Duquesne way.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the Grading and Paving of Green alley from Penn avenue to Duquesne way, and to let the same in the manner directed by an Act concerning Streets, approved Jan. 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils this 29th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest: E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest: GEO. BOOTH,
Clerk of Common Council.

Approved December 31, 1875.
Recorded in Ordinance Book, vol. 4, page 174,
Jan. 21, 1876. ja27

(No. 152.)

AN ORDINANCE — Authorizing the
Paving and Curbing of Sarah street from 30th street to city line.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise or proposals for the Paving and Curbing of Sarah street from 30th street to city line, and to let the same in the manner directed by an Act concerning street, approved Jan. 6th, 1864, and the several supplements thereto, and Ordinances of Councils relative to the same.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils this 29th day of Dec., A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest: E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest: GEO. BOOTH,
Clerk of Common Council.

Approved Dec 31,
Recorded in Ordinance Book, vol. 4, page 175,
Jan., 21, A. D. 1876. ja27

[No. 151.]

AN ORDINANCE — Authorizing the
Grading, Paving and Curbing of Duquesne way from Fifth street to Sixth street.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the Grading, Paving and Curbing of Duquesne way from Fifth street to Sixth street, and to let the same in the manner directed by an Act concerning streets, approved January 6th, 1864, and the several supplements thereto, and Ordinances of Councils relative to the same.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Ordained and enacted into a law, in Councils this 29th day of December, A. D. 1875.

A. H. GROSS,
President of Select Council.

Attest—E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,
President of Common Council.

Attest—GEO. BOOTH,
Clerk of Common Council.

Approved December 31, 1875.
Recorded in Ordinance Book, vol. 4, page 174,
January 21, 1876. ja27

[No. 156.]

AN ORDINANCE — Authorizing the
Grading, Paving and Curbing of Fort street, from Penn avenue to Duquesne way.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the Grading, Paving and Curbing of Fort street from Penn avenue to Duquesne way, and to let the same in the manner directed by an Act concerning streets, approved Jan. 6th, 1864, and the several supplements thereto, and Ordinances of Councils relative to the same.

SEC. 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance, at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Ordained and enacted into a law in Councils this 29th day of December, A. D. 1875.

A. H. GROSS,
President of Select Council.

Attest: E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,
President of Common Council.

Attest: GEO. BOOTH,
Clerk of Common Council.

Approved December 31, 1875.
Recorded in Ordinance Book, vol. 4, page 177,
21st day of January, A. D. 1876. ja27

[No. 148.]

AN ORDINANCE—Amending Section 1
of an Ordinance entitled "An Ordinance regulating manner of letting the public printing and prescribing the manner of doing the same.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils

assembled, and it is hereby ordained and enacted by the authority of the same, That section 1 of an Ordinance entitled "An Ordinance regulating the manner of doing the public printing and prescribing the manner of doing the same," passed 29th of March, 1875, shall be amended to read:

SECTION 1. Be it ordained and enacted by the City of Pittsburgh in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That on the 3d Tuesday of January, 1876, and on the 3d Tuesday in April, in each and every year thereafter the Committee on City Printing shall meet at the office of the City Clerk at seven and a half o'clock P. M., and proceed to open the proposals previously received by the City Controller, for contracts to do the newspaper printing, job printing and binding for the ensuing period of one year, for the Councils and various departments of the city government, and proceed publicly to let the respective contracts to the lowest responsible bidder in the manner provided for by Ordinance. Provided, that the contracts let on the third Tuesday of January, 1876, shall extend until the third Tuesday of April, 1877.

Ordained and enacted into a law in Councils, this 29th day of December, A. D. 1875.

A. H. GROSS,
President of Select Council.

Attest: E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,
President of Common Council.

Attest: GEO. BOOTH,
Clerk of Common Council.

Approved December 31, 1875.
Recorded in Ordinance Book, vol. 4, page 172,
Jan. 21, 1876. ja27

[No. 158.]

AN ORDINANCE—Authorizing the
widening and opening of Green alley from Penn avenue to Duquesne way.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and is hereby authorized and directed to survey, widen and open within 60 days from the passage of this Ordinance Green alley from Penn avenue to Duquesne way, at a width of 20 feet, taking for the center line the center line of the present traveled road. The damages caused thereby and the benefits to pay the same to be collected in accordance with the provisions of an Act of Assembly, entitled "An Act concerning streets and Sewers in the city of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

SEC. 2. That any ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed so far as the same affects this Ordinance.

Ordained and enacted into a law, in Councils this 29th day of December, A. D. 1875.

A. H. GROSS,
President of Select Council.

Attest—E. S. MORROW,
Clerk of Select Council.

W. B. NEGLEY,
President of Common Council.

Attest—GEO. BOOTH,
Clerk of Common Council.

Approved Dec. 31, 1875.
Recorded in Ordinance Book, Vol. 4, page 177,
Jan. 21, 1876. ja27

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, January 24, 1876.

No. 3.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

January 24, 1876.

Council met.

In the absence of President Gross Mr. Aiken was called to the chair.

Present—Messrs. Ahl, Aiken, Barkley, Braun, Brown, (R. B.), Bruce, Dannels, Darlington, (B.), Denniston, Doyle, Duff, Evans, Foster, Fox, (George), Fox, (Gregor), Froehlich, Geiger, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Metzgar, Moore, Murray, Musgrave, McCandless, McCombs, McClurg, McGimpsey, O'Neil, Powers, Reiman, Rodgers, Sawyer, Schwarm, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh.

Absent—Messrs. Atkinson, Bates, Brown, (S. S.), Buckley, Carr, Darlington, (H.), Dietrich, Epping, Felker, Glass, Kernan, Meyer, Miller, MacConnell, McKinley, Negley, Nusser, Perry, Ray, Rolfe, Schild, Vierheller, Waring, Gross.

Mr. SHIPTON, from the Finance Committee, presented,

[4] An Ordinance levying taxes and making appropriations for the year 1876.

Which was referred to the Finance Committee.

Also, the following:

[5] *Resolved*, That the City Treasurer is hereby authorized and directed to grant an exoneration to Hussey & Dravo from the payment of Eighty-five dollars and forty-two cents (\$85.42) of their taxes for the year 1875, in the Thirtieth ward.

Which, the rule being suspended, was read a third time and passed.

Also, the following:

[6] *Resolved*, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Louis Forster to the amount of Thirty dollars on account of overpaid taxes and charge the same to Appropriation No. 13, Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also, the following:

[7] *Resolved*, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of F. C. Greneisen to the amount of \$4.75 on account of overpaid tax, and charge the

same to appropriation No. 13, Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also, the following:

[9] Report from the Finance Committee announcing their organization by the election of Jno. Shipton, Esq., as Chairman.

Which was read, approved and ordered to be filed.

Also,

[10] Report from the Finance Committee nominating and recommending Thomas S. Bigelow, Esq., as City Attorney, for the ensuing term.

The report was read and accepted and the nomination was unanimously confirmed.

Mr. SAWYER moved,

That Councils proceed to take up business in regular order.

Which motion prevailed.

Mr. BRAUN presented,

[11] Petition of Henry Shaler for reduction of taxes.

Referred to Committee on Appeals.

Also, the following:

[12] *Resolved*, That our Representative at Harrisburg be respectfully requested to forward all bills affecting the local government of the City of Pittsburgh to the City Clerk, and withhold action on them, until properly forwarded by the City Clerk, either with an affirmative or negative recommendation by Councils.

Which was read and passed.

Mr. MUSGRAVE presented the following:

[13] *Resolved*, That the Finance Committee be directed in preparing the appropriation ordinance, to consolidate appropriations Nos. 9 (Diamond), 20 (Fifth ward), 27 (Fifth avenue), and 31 (South Side Markets) under the general head of appropriations No. 9, Markets.

Which was read and referred to the Finance Committee.

Mr. SHIPTON, the following:

[14] *Resolved*, That the North and South Side Wharf Masters be and they are hereby required to report to the City Controller under oath, all wharfage, due at the end of every month, with the name or names of the party or parties paying or owing the same, in accordance with the accompanying blank.

Which, the rule being suspended, was read a third time and passed.

Mr. METZGAR, the following:

[15] *Resolved*, That the Controller be and is hereby authorized to draw a warrant in favor of S. R. Johnson, for the sum of two hundred dollars (200.00) for work done on Craig street, Thirteenth ward.

Which was read and referred to the Road Committee.

Mr. POWERS,
[16] An Ordinance amending City Code, title Board Measurers, Sec. One, Two and Three.

Which was referred to the Committee on Retrenchment and Reform.

Also, the following:

[17] *Resolved*, That the Committee on City Property be and are hereby instructed to have seats of a suitable kind erected in the lobbies of both Council Chambers, for the use of citizens desiring to be present at the meetings of Councils.

Which was read.

Mr. JEREMY moved,

To lay on the table.

Upon which motion a division was had and there were twelve ayes and seventeen noes.

So the motion was decided in the negative.

Mr. DANNELS moved,

To refer to the Committee on City Property.

Which motion prevailed.

Mr. TAYLOR, presented,

[18] Petition for the erection of gas lamps on Forty-sixth street.

Which was referred to the Committee on Gas Lighting.

Mr. LITTELL, the following paper:

[19] Petition for four public gaslamps on Shady Lane Bridge.

[20] Petition for six public gas lamps on Frankstown avenue between Penn avenue and Liberty street.

Which were referred to the Committee on Gas Lighting.

Also, the following:

PITTSBURGH, January 21, 1876.

[21] *To the Presidents and Members of Select and Common Councils.*

GENTLEMEN:—The undersigned, a Committee of the Board of Fire Commissioners appointed to communicate to your honorable bodies upon the subject of your resolution of _____, 1876, relative to the fire in the coal seam in Herron's Hill, respectfully set forth:

That immediately on the receipt of a certified copy of the resolution, to wit:—Dec. 31, 1875, the Board decided to visit the locality, and in company with the City Engineer, whose company was requested, did visit it on the following Monday, Jan. 3, 1876. The only evidence of fire is shown by a light smoke escaping through the crevices of rock and earth, where it was said were two pit mouths, now, however, closed to prevent draft on the fire. It is evident, that the throwing of water would be useless, until some way is opened to reach the fire. Very proper inquiries are, how far has the fire progressed and in which direction?

This can only be approximately ascertained by civil engineers, and the earnest decision much will depend in the matter of expense. That trenching will be necessary is evident, as getting in the way of the progress of the fire, only can it be stayed.

We respectfully suggest that the work of digging comes properly under the supervision of the City Engineer, and we are instructed to say that this department stands ready to promptly respond to any call for the throwing of water. The estimate of the Fire Department has been closely figured, and includes only the necessary running expenses; and nothing can be spared therefrom for the excavating that will be necessary in this matter. The Board, after the visit to Herron's Hill, requested the City Engineer to report to them in writing what, in his opinion, should be done to extinguish this coal fire.

We understand that he declines to do this, except upon order from Councils.

We therefore recommend that the Engineer be instructed to report particularly and immediately to your honorable bodies, upon the subject, so that you may take such steps as may be necessary in the premises, and if required, give time to provide means in the appropriation ordinance soon to be acted upon.

When the ground is excavated so that the fire can be got at, the department is prepared to extinguish it.

Very respectfully,

ALEX. PITCAIRN,
JENKIN JONES,
THOMAS A. FENDER,
Committee.

Which was read and received.

Mr. HUNTER moved,

To refer the communication to the City Engineer with instructions to report at next meeting what was necessary to be done in the matter.

Mr. MUSGRAVE moved,

To amend by adding, and to report an estimate of the probable cost of the extinguishment of the fire.

Which was accepted.

And the motion as amended prevailed.

Mr. McCURG presented,

[22] A petition for the change of name of Notley street to Delmont street. Referred to Road Committee.

Mr. MCCOMBS,

[23] A Petition for the erection of gas lamps in the Short street Tunnel.

Referred to the Committee on Gas Lighting.

Mr. FOSTER,

[24] Petition of T. Wettengel and Gormley, for exoneration of business tax.

Referred to the Finance Committee.

Mr. HOLLIDAY,

[25] An Ordinance authorizing the construction of a boardwalk on Grand View avenue from Bertha street to Sherman street. Referred to the Street Committee.

Mr. MCCANDLESS, from the Water Committee, presented,

[26] A Report announcing the organization of the Water Committee by the election of J. G. McCandless, Esq., as Chairman.

Which was read, approved and ordered to be filed.

Mr. HUNTER,

[27] A Report announcing the organization of the Committee on City Property by the election of W. B. Hunter, Esq., as Chairman.

Which was read, approved and ordered to be filed.

Mr. MUSGRAVE,

[28] A Report announcing the organization of the Committee on Markets by the election of Jno. A. Musgrave, Esq., as Chairman.

Which was read, approved and ordered to be filed.

Mr. SORG,

[29] A Report announcing the organization of the Committee on Wooden Buildings by the election of J. H. Sorg, Esq., as Chairman.

Which was read, approved, and ordered to be filed.

Mr. SHIPTON,

[30] A Report from the Committee on Gas Lighting, announcing their organization by the election of Jno. Shipton, Esq., as Chairman.

Which was read, approved and ordered to be filed.

Also, from the Committee on Gas Lighting, the following:

[31] *Resolved*, That the South Side Gas Company be and are authorized and directed to erect public gas lamps at the following points:

Two on Carson street—one between Twenty-fifth and Twenty-sixth streets, and one between Twenty-sixth and Twenty-seventh streets.

Three on Twenty-sixth street, between Wharton and Carson streets.

Two on Twenty-fifth street, between Carson and Jane streets.

One corner Edwards alley and Nineteenth street

One corner Clifton and Eighteenth streets.

One East side Thirtieth street, between Carson and Washington streets.

One on Sarah street, in front of the Twenty-fifth Ward School House.

Two in the Diamond, S. E. and S. W. corners of Twelfth street.

One N. E. corner of Wharton and Twenty-fifth street

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee, the following:

[32] *Resolved*, That the West Pittsburgh Gas Company be and is authorized and directed to erect public gas lamps at the following points:

Four (4) gas lamps on Virgin alley between Walnut and Water streets.

Removal of one lamp ten feet on Walnut street to corner of Virgin alley.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee, the following:

[33] *Resolved*, That the Pittsburgh Gas Company be authorized and directed to erect two public gas lamps on Twenty-sixth street; one corner Mulberry alley, one corner Smallman street.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee, the following:

[34] *Resolved*, That the Pittsburgh Gas Company be and is hereby authorized and directed to erect public gas lamps at the following points:

One every two hundred and forty feet on Forty-second street between Penn avenue and Butler street.

One on Liberty street, at Allegheny Valley railroad crossing

One on Enoch street, corner Roberts street.

One corner Roberts street, and Keatings alley.

One corner Ross and Diamond streets.

Two on Butler street, between Thirty-ninth and Fortieth streets.

One on Spruce alley between Twenty-ninth and Thirtieth streets.

Two on Twenty-ninth street, one corner Spruce alley, one corner Spring alley.

One on Butler street, between Forty-eight and Forty-ninth streets.

One on Thirty-ninth street, corner first alley below Butler street.

Two on Hatfield street between Forty-ninth and Fiftieth streets.

One corner Thirty-seventh street and Mulberry alley.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee, the following:

[35] *Resolved*, That the East End Gas Company be and is authorized and directed to

erect public gas lamps at the following points, to wit:

Seven on Hazelwood avenue between Frank street and Monongahela river.

Two on Center avenue between Kirkpatrick and Soho streets.

Four on Center avenue between Reed street and School House.

Which, the rule being suspended, was read a third time and passed.

Mr. HERRON.

[36] A Report from the Committee on Allegheny Wharf, announcing the organization of the Committee by the election of W. A. Herron, Esq., as Chairman.

Which was read, approved, and ordered to be filed.

Mr. KERR.

[37] A Report from the Ordinance Committee, announcing the organization of the Committee by the election of James Kerr, Esq., as Chairman.

Which was read, approved, and ordered to be filed.

The PRESIDENT.

[38] A Report from the Road Committee, announcing the organization of the Committee by the election of Jno. G. MacConnell, Esq., as Chairman.

Which was read, approved, and ordered to be filed.

Mr. BRAUN, the following:

WHEREAS, The Councils have examined the new and improved odorless excavating apparatus, and seen its workings,

Would recommend it as the only apparatus which should be granted a license by the Board of Health, within the city limits.

Which was read.

C. C. No. 29½. Report of the Committee on City Printing announcing the award of the contracts to do the newspaper printing—

English, to the Pittsburgh *Daily Dispatch*—

German, to the *Freiheits-Freund*.

In C. C. read and approved.

Was taken up and read.

Mr. HUNTER moved.

To concur in the action of Common Council.

Mr. GREGOR FOX presented the following:

[40] *To the Honorable the Select and Common Councils of the City of Pittsburgh.*

GENTLEMEN:—The undersigned respectfully begs leave to enter his protest to the award made by the Printing Committee of the German newspaper printing for the following reasons:

The awarding of said contract to the *Freiheits Freund* is contrary to law, which requires that all city contracts should be given to the lowest responsible bidders. In making said award, the Committee failed to take all the circumstances of the case into consideration. The question of circulation had not even been alluded to in the advertisement for proposals. In the meeting of the Committee it was said, but not proved, that the *Freiheits Freund* had a much larger circulation than the *Volksblatt*. Even if such was the case, it would be the result of a monopoly, based on the official advertisements possessed by the *Freiheits-Freund* for years past. It is evident to every business man, that the official advertisements carry with them a good number of subscribers who take the official paper for the official advertisements, and not for its intrinsic merits and value.

The said award is further a violation of the public interests. For if the "Wallace Act" means anything at all, it means that the money of the people should be economized wherever it is possible. By giving the con-

tract in question—not as the law says to the lowest, but to the *highest* responsible bidder, the principle of public economy is directly violated. The tax-payers cannot remain indifferent to an attempt of squandering their hard earned pennies to the extent of about *two thousand dollars a year*.

The undersigned would appeal your honorable bodies to decline to approve the said award of the Printing Committee for the reasons stated, and because the said award is inconsistent with the terms of the "Wallace Act" and the legal construction placed thereon by the Court, in this, that if circumstances are taken into consideration, then *all* the circumstances connected with all the applicants and their bids should be considered, and a conclusion should not be arrived at based upon the single circumstance of a large circulation, to the exclusion of other important circumstances.

Most respectfully,
CHAS. FRED. BAUER,

Editor and Proprietor of the *Volksblatt*.

Which was read and received.

Mr. GREGOR FOX moved,

To recommit the report, with the communication, to the Printing Committee.

Mr. DUFF moved,

To amend by adding "So far as the *Freiheits-Freund* is concerned."

Mr. LITTELL moved,

A division of the question.

Which motion prevailed.

Mr. LITTELL moved,

To approve the award to the Pittsburgh *Daily Dispatch*.

Which motion prevailed.

Mr. GREGOR FOX moved,

To recommit the award to the *Freiheits-Freund* to the Printing Committee, together with the communication from C. F. Bauer.

On which motion the ayes and noes were demanded by Messrs. Braun and Froehlich, and the demand being sustained, the ayes and noes were ordered to be taken, and were:

Ayes—Messrs. Ahl, Aiken, Barclay, Bruce, Dannels, Darlington (B.), Denniston, Doyle, Duff, Evans, Fox (George), Fox (Gregor), Geiger, Goldthorp, Hayden, Kennedy, Kerr, Lagerman, Lappan, Moore, Murray, McCandless, McCubbs, McClurg, O'Neill, Powers, Reiman, Rodgers, Schwarm, Singlerly, Sorg, Taylor, Weldon—33.

Noes—Messrs. Braun, Brown (R. B.), Foster, Froehlich, Herron, Holliday, Hunter, Jeremy, Littell, Metzgar, Musgrave, McGimpsey, Shipton—13.

So the motion prevailed.

Mr. METZGAR presented,

[41] A Petition asking for remedying of the imperfect drainage of Butler street, near Fifty-fourth street.

Which was referred to the Street Committee.

And on motion, Council adjourned.

Attest E. D. WILSON
CLK
COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

January 24, 1876.

At a meeting of the Finance Committee held January 13th, 1876, I was instructed to request the Presidents of Councils to call a special meeting of Councils for Monday, Jan-

uary 24th, 1876, to receive the report of the Finance Committee.

Very respectfully,

R. M. SNODGRASS.

And now January 16th, 1876, call ordered.

Council met pursuant to the foregoing call.

Present—Messrs. Aull, Clark, Coll, Conway, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Helmsold, Hughes, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Voskamp, Walnright, Negley—29.
Absent—Messrs. Atcheson, Bell, Boucher, Dickson, Hahn, Hagan, Hogle, Kerr, Kirchner, Laughran, Morrison, Robeson, Thompson, Torrence—14.

Mr. ROTH being present took the oath of office.

On motion of Mr. AULL,

Reading of the minutes of the previous meeting was dispensed with.

Mr. FOX moved,

That the rule be suspended to allow the presentation of other business than the special order of the day.

Which prevailed.

Mr. NEEB presented,

No. 3. Petition of H. J. Ludolph for relief in the matter of business tax.

Referred to Finance Committee.

Mr. ROTT,

No. 4. Resolution for the assessment of damages and benefits by the grading of Thirty-third street, between Liberty and Laurel avenues.

Referred to Street Committee.

Mr. FOX,

No. 5. Resolution for a warrant in favor of the City Attorney in payment of assessments against the city for Forbes street sewer.

Referred to Street Committee.

Also,

No. 6. Resolution for a warrant in favor of Lucas Zimmer for refunding of overpaid tax.

Referred to Finance Committee.

Also,

No. 7. A Report of the Viewers of Street Improvements on the opening of St. Clair street from Stanton avenue to McCully street.

Which was approved.

Also,

No. 8. Report of the Viewers of Street Improvements on the opening of Virginia avenue from Oneida street to Shafer's line.

Which was approved.

Also,

No. 9. Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Stanton avenue from Butler street to Hilland avenue.

Which was approved.

Mr. AULL,

No. 10. An Ordinance locating Harrison street, between Fifth and Fifty-third streets.

Referred to Survey Committee.

Also,

No. 11. An Ordinance locating Meyer avenue, Thirty-second ward.

Referred to Survey Committee.

Also,

No. 12. An Ordinance locating Hoffman street from Grand avenue to Garden street.

Referred to Survey Committee.

Also,

No. 13. An Ordinance locating Center street, from Pearl to Winebiddle street.

Referred to Survey Committee.

Also,
No. 14. An Ordinance locating Grand avenue.
Referred to Survey Committee.

Also,
No. 15. An Ordinance authorizing the assessment of the damages and benefits caused by the grading of Liberty avenue, from Thirty-third street to Centre avenue.
Referred to Street Committee.

Also,
No. 16. An Ordinance changing the location of Heberton street, from Stanton avenue to Graff street.
Referred to Survey Committee.

Also,
No. 17. An Ordinance vacating Collins avenue, from Stanton avenue to Graff st.
Referred to Survey Committee.

Also,
No. 18. An Ordinance establishing the grade of the north curb of Denny street.
Referred to Survey Committee.

Also,
No. 19. Petition of Theodore Weiss for refunding of overpaid taxes, Twenty-first ward.
Referred to Finance Committee.

Mr. NEBB,
No. 20. A Report of the Organization of the Street Committee.
Read, received and filed.

Mr. AULL,
No. 21. Report of the Organization of the Committee on Surveys.
Read, received and filed.

Mr. FOX,
No. 22. A Report of the Organization of the Committee on Police.
Read, received and filed.

Mr. FOLEY,
No. 23. Report of the Organization of the Committee on Retrenchment and Reform.
Read, received and filed.

Mr. NISBET,
No. 24. Report of the Organization of the Committee on Claims and Accounts.
Read, received and filed.

Mr. RAHAUSER,
No. 25. Report of the Organization of the Committee on Monongahela Wharf.
Read, received and filed.

Mr. AULL,
No. 26. Report of the Organization of the Committee on City Printing.
Read, received and filed.

Also,
No. 26½. To the Select and Common Councils of the City of Pittsburgh:

GENTLEMEN:—Your Committee on City Printing would respectfully report, That in accordance with law, they have awarded the contract for newspaper printing for the year ending April, 1877, to the following papers:

Pittsburgh Daily Dispatch at nineteen cents for the first insertion, and ten cents for every subsequent insertion per square.

Freedom's Friend at seventy-five cents per square for the first, and thirty-seven and a half cents per square for each subsequent insertion.

In letting the contract the Committee, as directed by ordinance, took into consideration the character, standing and circulation of the papers submitting proposals.

WILLIAM F. AULL,
WILLIAM DOYLE,
JOHN A. FOX,
JOHN FROELICH,
A. W. FOSTER, JR.,
WILLIAM J. POWERS,
SAMUEL MEARS.

Which was read and received.
Also,

No. 27. To the Honorable the Select and Common Councils of the City of Pittsburgh:

GENTLEMEN:—The undersigned respectfully begs leave to enter his protest to the award made by the Printing Committee of the German newspaper printing for the following reasons:

The awarding of said contract to the *Freiheits-Freund* is contrary to law, which requires that all city contracts should be given to the lowest responsible bidders. In making said award, the Committee failed to take all the circumstances of the case into consideration. The question of circulation had not even been alluded to in the advertisement for proposals. In the meeting of the Committee it was said, but not proved, that the *Freiheits-Freund* had a much larger circulation than the *Volksblatt*. Even if such was the case, it would be the result of a monopoly, based on the official advertisements possessed by the *Freiheits-Freund* for years past. It is evident to every business man, that the official advertisements carry with them a good number of subscribers who take the official paper for the official advertisements, and not for its intrinsic merits and value.

The said award is further a violation of the public interests. For if the "Wallace Act" means anything at all, it means that the money of the people should be economized wherever it is possible. By giving the contract in question—not as the law says to the lowest, but to the *highest* responsible bidder, the principle of public economy is directly violated. The tax-payers cannot remain indifferent to an attempt of squandering their hard-earned pennies to the extent of about *two thousand dollars a year*.

The undersigned would appeal to your honorable bodies to decline to approve the said award of the Printing Committee for the reasons stated, and because the said award is inconsistent with the terms of the "Wallace Act," and the legal construction placed thereon by the Court, in this, that if circumstances are taken into consideration, then *all* the circumstances connected with all the applicants and their bids should be considered, and a conclusion should not be arrived at based upon the single circumstance of a large circulation, to the exclusion of other important circumstances.

Most respectfully,

CHAS. FRED. BAUER,

Editor and Proprietor of the *Volksblatt*.

Which was read and received.

Mr. AULL moved,

That the Report be approved.

On which the ayes and noes were demanded, and the demand being sustained, the call was ordered, and were,

Ayes—Messrs. Aull, Conway, Filinn, Fox, Ferson, Helmsold, Kettenberg, Mears, Moore, Nantker, Nisbet, Powers, Rahauser, Roth, Torrence, Voskamp, Negley—17.

Noes—Messrs. Clark, Coll, Dauler, Fritz, Fennerty, Foley, Hughes, Lemmer, McCafferty, Reynolds, Roth, Wainwright—12.

And a majority of the votes being in the affirmative, the report was approved.

Mr. FENNERTY presented,
No. 28. Report of the Organization of the Committee on Railroads.
Read, received and filed.

Also,
No. 29. Report of the Organization of the Committee on Appeals.
Read, received and filed.

SELECT COUNCIL BUSINESS.

No. 5, S. C. Resolution exonerating Hussey, Dravo & Co. from payment of certain taxes.

In S. C., January 24, 1876. Passed finally.

Mr. FOLEY moved,

To refer the resolution to the Finance Committee.

Which prevailed.

No. 6, S. C. Resolution for a warrant in favor of Louis Forster for thirty dollars for refunding of overpaid taxes.

In S. C., January 24th, 1876. Passed finally.

Which was read, and the rules were suspended, and the resolution was passed finally.

No. 7, S. C. Resolution for a warrant in favor of F. C. Greneisen for four dollars and seventy-five cents for refunding of overpaid taxes.

In S. C., January 24th, 1876. Passed finally.

Which was read, and the rules were suspended, and the resolution was passed finally.

No. 9, S. C. Report of the Organization of the Committee on Finance.

In S. C., January 24th, 1876. Approved.

In which action Common Council concurred.

No. 10, S. C. A Report from the Finance Committee recommending and nominating Thomas S. Bigelow for City Attorney.

In S. C., January 24th, 1876. Read and received, and appointment confirmed.

Which was read and received, and the appointment confirmed.

No. 14, S. C. A Resolution directing Wharfmasters to report monthly under oath the amount of wharfage due and unpaid, with the names of persons owing the same.

In S. C., January 24th, 1876. Passed finally.

In which action Common Council concurred.

No. 12, S. C. Resolved, That our Representatives at Harrisburg be respectfully requested to forward all bills affecting the local government of the City of Pittsburgh to the City Clerk, and withhold action on the same until properly forwarded by the City Clerk, either with an affirmative or negative recommendation from Councils.

In S. C., January 24, 1876. Passed finally.

In which action Common Council concurred.

Mr. AULL presented,

No. 30. An Ordinance granting to the Atlantic & Pacific Telegraph Company the privilege to erect poles and construct telegraph lines on streets and alleys in the City of Pittsburgh.

Referred to Street Committee.

Also,

No. 31. An Ordinance to repeal an ordinance entitled "An ordinance authorizing the opening of School alley from Davidson street to Sherman street," passed October 9th, A. D. 1871.

Referred to Street Committee.

Also,

No. 32. An Ordinance establishing as a Public Wharf that portion of the river front of the South Side of the Monongahela river within the corporate limits of the city lying between First and Sixth streets, and extending from low-water line to the south line of Water street, and fixing the rates of wharfage for the use thereof.

Referred to Committee on Monongahela Wharf.

Also,

No. 33. Petition of Conrad Eckert for refunding of overpaid taxes.

Referred to Finance Committee.

Mr. McCAFFERTY,

No. 34. Petition of Robert Ellis for payment of claim for building sewer drops on Forty-second street, Seventeenth ward, amounting to \$158 00.

Referred to Street Committee.

Mr. Fox,

No. 35, C. C. WHEREAS, The American people contemplate the celebration of the Centennial Anniversary of the Independence of America, by an International Exhibition at Philadelphia, in this State, during the present year, in the success of which enterprise all are interested;

Resolved, That we urge upon our citizens the importance and magnitude of the occasion and the worth of the cause, and the necessity of a full and complete representation of the arts, sciences, agricultural and industrial pursuits of our citizens; that we heartily unite with our sister city of Philadelphia in its efforts to commemorate the memorable event which crowned the glorious achievements of our patriotic forefathers the Fourth day of July, 1776; that we believe a celebration of this kind, exhibiting the progress during a century, which the United States has made under the impulse of free instruction in arts, in sciences, in manufactures, in commerce, in mining, and in all industrial pursuits, will tend to relieve the present depressed condition of our country, and restore prosperity—commerce will be encouraged, trade enlivened, and Industries stimulated; that the fraternization of our country will be advanced, and a re-establishment of unity and loyalty, which is indispensable to the existence of the Union.

Resolved, That we commend our Representatives in the Legislature and in Congress for their efforts in behalf of the Centennial celebration.

Resolved, further, That a Committee of Seven, including the Presidents of both Councils, be appointed on arrangements and other business pertaining to the said Centennial Exhibition.

Which was read and passed.

BUSINESS FROM SELECT COUNCIL.

No. 31, S. C. Resolution for the erection of public gas lamps by the South Side Gas Company.

In S. C., January 24th, 1876. Passed finally.

Which was read, and the rules were suspended, and the resolution was passed finally.

No. 32, S. C. Resolution for the erection of public gas lamps by the West Pittsburgh Gas Company.

In S. C., January 24th, 1876. Passed finally.

Which, the rules being suspended, was read and passed finally.

No. 33, S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Company.

In S. C., January 24th, 1876. Passed finally.

Which, the rules being suspended, was passed finally.

No. 34, S. C. Resolution for the erection of public gas lamps by the Pittsburgh Gas Company.

In S. C., January 24th, 1876. Passed finally.

Which, the rules being suspended, was read and passed finally.

No. 35, S. C. Resolution for the erection of public gas lamps by the East End Gas Company.

In S. C., January 24th, 1876. Passed finally.

Which, the rules being suspended, was passed finally.

No. 3, S. C. Resolution authorizing the Presidents of Councils to appoint a Standing Committee on Legislation.

In S. C., January 24th, 1876. Passed finally. In which action Common Council concurred.

Adjourned.

(No. 145½.)

AN ORDINANCE—Establishing the salaries of the Assessor and Assistant Assessor of Water Rents.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the first day of February, A. D. 1876, the salary of the Assessor of Water Rents shall be and the same is established at one thousand six hundred dollars

per annum, and the salary of the Assistant Assessor of Water Rents at nine hundred dollars per annum.

SEC. 2. That said salaries shall be in full compensation for all services rendered and required including the services of the Assessor as Clerk to the Water Committee as organized under Ordinance of the 13th day of March, 1874.

Ordained and enacted into a law, in Councils, this 20th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,

Clerk of Common Council.

Approved December 24, 1875.

Recorded in Ordinance Book, vol. 5, page 37, January 14, A. D. 1876.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, January 31, 1876.

No. 4.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

January 31, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Bates, Brauu, Brown (R. B.), Brown (Sam'l S.), Buckley, Carr, Daniels, Darlington (B.), Deniston, Deitrich, Doyle, Duff, Epping, Evans, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorpe, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Metzgar, Meyer, Miller, Moore, Murray, Musgrave, McCandless, McCombs, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh.

Absent—Messrs. Barkley, Bruce, Darlington (H.), Foster, Kernan, MacConnell, Perry, Waring, Gross.

The minutes of the previous meeting were read and approved.

Mr. HUNTER presented,

[42] A communication from the Board of Health announcing the expiration of the official term of Drs. A. Arthur, Jas. McCann, and Thomas Mitchell, Esq., as members of said Board.

Which was read and accepted.

On motion of Mr. HUNTER,

The Clerk was directed to notify Common Council that this body was ready to meet that body in Joint Session for the purpose of electing three persons to be members of the Board of Health.

Which was done.

Mr. B. DARLINGTON presented,

[43] A communication from C. E. Milliken, Esq., asking the removal of the polling place of the second precinct, Second ward, from his office.

Which was read and received.

Also, the following,

[44] *Resolved, by the Select and Common Councils of the City of Pittsburgh,* That the place for holding the elections in the second district, Second ward, be removed from the office of Alderman Milliken to John Napier's carriage bazaar, No. 136 Fourth avenue, and that the Mayor be instructed to issue his proclamation accordingly.

Which, the rule being suspended, was read a third time and passed.

Mr. HERRON, the following,

[45] *Resolved,* That our representatives at Harrisburg be requested to use all legal means to secure the defeat of the bill for changing the mode of gauging oil to weighing, the work to be done by the refiner, thereby taking the control of the same from the City Gauger, and also depriving the city of the revenue derived from that office.

Which was read once and laid over under the rule.

Mr. O'NEIL,

[46] A petition from the retail liquor dealers, asking an abatement be made in the millage levied on their sales as a business tax for the year 1876.

Read and referred to the Finance Committee.

Mr. WELSH,

[47] Petition of D. P. Hatch, Superintendent of the Equitable Storage Company, for privilege to construct a switch track from A. V. Railroad to property on Twenty-eighth and Smallman streets.

Which was read.

Mr. GOLDTHORPE moved,
To refer to the Railroad Committee.

Mr. WELSH, as an amendment, moved,

To refer to the Street Committee.

Which motion prevailed.

Mr. LITTELL presented,

[48] An ordinance changing the name of Notley street to Delmont street.

Which was referred to the Road Committee.

Mr. GREGOR FOX presented the following,

[49] *Resolved,* That the Street Committee be, and they are hereby instructed, to report an ordinance adjusting the assessments of the cost of construction of a boardwalk on Yard's alley, Twenty-seventh ward.

Which was referred to the Street Committee.

Mr. McCOMBS, the following,

[50] *Resolved,* That the South Side Gas Company be, and they are hereby instructed, to make some arrangements by which gas lamps on Brownsville avenue can be used.

Which was read and referred to the Committee on Gas Lighting.

The PRESIDENT,

[51] A communication from the Commission for the erection of a City Hall, setting forth that they had completed their duties and had adjourned *sine die*, and asking Councils to instruct the Finance Committee to audit their final account.

Which was read and referred to the Finance Committee.

Also,

[52] A Report from the City Engineer in answer to the instruction of Council of January 24th, in relation to the fire in the coal seam on Herron's Hill, setting forth that

the necessary and most economical means to be employed for the extinguishment of the subterranean fire in Herron's Hill are, to remove the material that obscures its magnitude and extent from observation; to cut off its further progress by an entry or passage way being driven from the outside, following as near the line of fire as practicable, until the extent thereof has been surrounded, and then, if deemed necessary, have it flooded with water. The estimate of cost is more a matter of conjecture than calculation at present, on account of not knowing what may develop when work has begun. It may be that ten or fifteen hundred dollars will be sufficient; perhaps a less amount may prove enough, and it may require even more than that amount.

Which was read and received.

Mr. GOLDTHORPE moved,

To refer the Report to the Water Committee, with power to act.

Mr. LITTELL moved,

That the Controller be directed to advertise for proposals for the extinguishment of the fire.

Mr. METZGAR moved,

To lay the question to refer on the table.

Which motion prevailed.

The Clerk of Common Council being introduced, announced,

That Common Council was now ready to meet Select Council in Joint Session for the election of three persons to be members of the Board of Health.

Whereupon Select Council proceeded to the Common Council Chamber for that purpose. And being so met in

JOINT SESSION,

Councils proceeded to said election.

And,

Mr. SINGERLY nominated Addison Arthurs.

Mr. McCOMBS nominated J. P. McCord.

Mr. METZGAR nominated James McCann.

Mr. HERRON nominated G. L. Follansbee.

Mr. AULL nominated T. S. Mitchell.

And the result of the voting was as follows: For Addison Arthurs—

Messrs. Ahl, Aiken, Atkinson, Braun, Brown (R. B.), Brown (Samuel S.), Dannels, Darlington (B.), Denniston, Dietrich, Duff, Epping, Evans, Felker, Fox (Gregor), Geiger, Goldthorpe, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lappan, Littell, Metzgar, Meyer, Moore, Murray, Musgrave, McCandless, McCombs, McGimpsey, McKinley, Negley, O'Neil, Powers, Ray, Rolfe, Sawyer, Schild, Schwarm, Shipton, Slingerly, Sorg, Taylor, Welsh.

For J. P. McCord—

Messrs. Ahl, Aiken, Atkinson, Bates, Braun, Brown (R. B.), Brown (Samuel S.), Buckley, Carr, Dannels, Denniston, Dietrich, Doyle, Epping, Evans, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorpe, Hayden, Herron, Holliday, Jeremy, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Musgrave, McCandless, McCombs, McClurg, McGimpsey, Negley, Nusser, O'Neil, Powers, Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Slingerly, Sorg, Vierheller, Weldon.

For James McCann—

Messrs. Ahl, Atkinson, Bates, Braun, Brown (R. B.), Brown (Samuel S.), Buckley, Carr, Dannels, Dietrich, Doyle, Duff, Epping, Evans, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Hayden, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Metzgar, Meyer, Miller, Moore, Murray, Musgrave,

McCombs, McClurg, McGimpsey, McKinley, Nusser, O'Neil, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Taylor, Vierheller, Weldon, Welsh.

For G. L. Follansbee—

Messrs. Darlington (B.), Denniston, Glass.

For T. S. Mitchell—

Messrs. Aiken, Bates, Buckley, Darlington (B.), Doyle, Duff, Felker, Fox (George), Froehlich, Glass, Goldthorpe, Herron, Holliday, Hunter, Lagerman, Lappan, Littell, Metzgar, Miller, Moore, Murray, McCandless, McClurg, McKinley, Negley, Nusser, Reiman, Rodgers, Rolfe, Sawyer, Shipton, Slingerly, Sorg, Taylor, Vierheller, Weldon, Welsh.

Pending the calling of the roll,

Mr. HERRON, by leave, withdrew the name of G. L. Follansbee.

Before the announcement of the result,

Mr. B. DARLINGTON, by leave, changed his vote from G. L. Follansbee to J. P. McCord.

Mr. DENNISTON from G. L. Follansbee to Thomas Mitchell.

Mr. GLASS from G. L. Follansbee to James McCann.

And Addison Arthurs received.....72 votes.

J. P. McCord received.....87 votes.

James McCann received.....78 votes.

T. S. Mitchell received.....62 votes.

And Addison Arthurs, J. P. McCord, and James McCann were duly elected members of the Board of Health for the ensuing term.

And the business of the Joint Session being over, Select Council returned to their own chamber.

And Council resumed the consideration of S. C. No. 52, Report of the City Engineer.

Mr. LITTELL, by leave,

Withdrew the motion directing the Controller to advertise for proposals.

Mr. HERRON presented the following,

[53] Resolved, That the matter be referred to the Water Committee in conjunction with the City Attorney, to report to Councils what in their estimation is the proper course for the city to pursue.

Which was read and passed.

The PRESIDENT presented,

[54] A communication from the City Clerk, covering sundry Acts of Assembly, which had been received in accordance with the request contained in Select Council's Resolution No. —.

Which was read and received.

The several Acts were read.

Mr. MCCANDLESS presented,

[55] WHEREAS, The City of Pittsburgh has now in course of construction a new Water Works, upon which there has been already expended the sum of \$4,000,000,

WHEREAS, It will require for its completion the sum of \$750,000.

WHEREAS, As this sum must be supplied either by including it in equal proportion in the tax levy of this and the following two years, or by the proceeds of a loan issued under authority from the Legislature of the Commonwealth; therefore, be it

Resolved, By the Select and Common Councils of the City of Pittsburgh, as the immediate representatives of the owners and tax-payers of said city in the local government, that, as said Water Works is largely for the benefit of future years, it is most wise, just and equitable that the cost of the completion of said Works should not be obtained by immediate taxation, but should be realized from a loan authorized by the Legislature of the State; that as the act now before the Legislature authorizing an increase of indebtedness of cities of the second class is for

this purpose, it is hereby approved and its immediate passage requested.

Which were read.

Mr. McCANDLESS moved,

The passage of the resolution.

On which motion the ayes and noes were demanded by Messrs. Atkinson and Weldon, and the demand being sustained, were ordered, and being taken, were:

Ayes—Messrs. Aiken, Brown, Darlington (B.), Denniston, Evans, Fox (George), Fox (Gregor), Froehlich, Glass, Herron, Hunter, Jeremy, Kennedy, Littell, Moore, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, Powers, Ray, Rolfe, Sawyer, Shipton, Singler, Taylor, Vierheiler, Welsh.

Noes—Messrs. Ahl, Atkinson, Bates, Braun, Buckley, Carr, Dannels, Doyle, Duff, Geiger, Goldthorp, Hayden, Holliday, Kerr, Lagerman, Lappan, Meyer, Miller, Murray, Nussner, O'Neil, Reiman, Schild, Schwarm, Sorg, Weldon.

Before the announcement of the result, Mr. POWERS asked and obtained leave to change his vote from "Aye" to "No," and the ayes were 29, and the noes were 27.

So the motion prevailed, and the resolution passed.

Mr. McCANDLESS moved,

That a Committee of Four from Select and Three from Common Council, in conjunction with the acting President, be appointed to go to Harrisburg to press the passage of the Act.

Which motion prevailed.

And Messrs. R. B. Brown, S. S. Brown, Kennedy and Rodgers were appointed on the part of Select Council.

Mr. FROELICH presented,

[56] *To the Select and Common Councils of the City of Pittsburgh,*

GENTLEMEN—Your Committee on City Printing respectfully report, that at a meeting held on January 26th, at which the proprietors of both German newspapers were present, the award of the contract, to do the newspaper printing (German) was reconsidered and the parties by consent, submitted new proposals, to wit:

Freiheits Freund, first insertion per square, nineteen cents, each additional insertion ten cents. *Volksblatt* first insertion per square fifteen cents, each additional insertion nine cents.

Sworn statements of circulation within the city were submitted by both parties. That of the *Freiheits Freund* showing 4,237, and that of the *Volksblatt* 938.

And your Committee after giving the subject a full consideration awarded the contract to the *Freiheits Freund*.

Which was read.

Mr. POWERS rose to a point of order,

That the report should have been presented in Common Council.

Which was overruled.

Mr. GOLDTHORP moved,

To approve the report.

On which motion a division was had, and there were twenty-nine ayes and twenty-one noes.

So the motion prevailed.

Mr. SHILTON, from the Committee on Gas Lighting, presented the following:

[57] *Resolved*, That the East End Gas Company be instructed to erect six public gas lamps on Frankstown avenue, between Penn avenue and the end of the main.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee,

[58] *Resolved*, That the South Side Gas

Company be instructed to remove the public gas lamp in front of the Thirtieth ward Station House, to a point in front of the entrance to the Short street Tunnel, and to erect two public wall lamps in said Tunnel.

Which, the rule being suspended, was read three times and passed.

Mr. NEGLEY presented,

[59] A Petition for the erection of six public gas lamps on Stanton avenue.

Which was referred to the Committee on Gas Lighting.

Mr. TAYLOR presented,

[60] Petition for the grading and paving of Forty-seventh street, from the Allegheny Valley Railroad to the Allegheny river, at a uniform grade to low water mark.

Which was referred to the Street Committee.

And on motion Council adjourned.

Attest E. D. MORRISON

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

Pittsburgh, January 31, 1875.

Council met.

Present—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coli, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helrold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Thompson, Torrence, Voscamp, Wainwright, Negley.

Absent—Fox, Hogle, Kirchner, Laughran, Morrison, Robeson.

On motion of Mr. Aull, reading of the minutes was dispensed with.

Mr. NEES presented,

No. 36. Resolution of Board of Fire Commission, for the erection of public gas lamps on Second avenue in the neighborhood of Everson & Co's Mill.

Referred to Gas Committee.

Mr. THOMPSON,

No. 37. Petition for the repairing of Second avenue, from Wood street to Smith field street.

Read, and referred to Board of Viewers to inquire and report to Councils, whether the improvement prayed for is of local or general benefit, or partly local, and if they shall report it is in whole or in part local to designate the district to be benefitted thereby.

Also,

No. 38. Petition of Margaret Dwyre for exoneration from payment of taxes on an over-assessment.

Referred to Committee on Appeals.

Also,

No. 39. An Ordinance, Providing for the letting by contract of the cleaning of the streets, lanes and alleys in the First and Second street Districts.

Referred to Street Committee.

Also,

No. 40. An Ordinance, authorizing the construction of a sewer, on property of Michael McCullough, from the end of present sewer on Forty-second street, for a distance of twenty (20) feet.

Referred to Street Committee.

Mr. KETTENBERG,

No. 41. An Ordinance, relating to the making of sewer connections.

Referred to Street Committee.

Also,

No. 42. Resolution for the laying of a crossing on Liberty and Eleventh streets.
Referred to Street Committee.

Mr. REYNOLDS,

No. 43. Petition of James Rice, for exoneration from payment of taxes.
Referred to Finance Committee.

Mr. WAINWRIGHT,

No. 44. Petition of Thos. Jones, for correction of assessment for Try street sewer.
Referred to Finance Committee.

Mr. AULL,

No. 45. An Ordinance, fixing the grade of Madison street, from Fifth avenue to Forbes street.
Referred to Survey Committee.

Also,

No. 46. An Ordinance locating Chesnut street from Saw Mill Run R. R. to Carson street.
Referred to Survey Committee.

Mr. RAHAUSER,

No. 47. An Ordinance relocating Murray avenue, from Wilkins avenue to Four Mile Run Road.
Referred to Survey Committee.

Mr. FOLEY,

No. 48. Resolved, That the Survey Committee be directed to report an ordinance locating Chesnut street, from Railroad crossing to Carson street, taking for the center line, the center line of the present traveled road, at a width of fifty feet.
Referred to Survey Committee.

Mr. THOMPSON presented, recommended affirmatively by the Street Committee.

No. 5 C. C. Resolved, That the Controller be and he is hereby directed to issue his certificate on the Mayor, for a warrant in favor of the City Attorney, for the sum of \$923.43 for payment of assessment against the City of Pittsburgh, for the construction of Forbes street sewer, and charge to Contingent Fund.

Which, the rule being suspended, was read a third time and finally passed.

Also, from the same Committee, affirmatively recommended,

No. 15 C. C. An Ordinance, authorizing the assessment of damages and benefits caused by the grading of Liberty avenue, from Thirty-third street to Center avenue.

Which was read and the rule being suspended, was read a third time

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Rahauser, Reynolds, Roth, Rott, Thompson, Torrence Vocamp, Wainwright, Negley—35.

Noes—none.

And a legal majority of the votes being in the affirmative, the bill passed finally.

The Clerk of Select Council being introduced announced that Select Council were now ready to meet with Common Council in Joint Session, for the purpose of electing three persons to serve as members of the Board of Health.

The CHAIR presented,

No. 42. To the Select and Common Councils of the City of Pittsburgh,

GENTLEMEN:—I have been directed by the Board of Health, to inform your honorable bodies of the fact, that three vacancies are about to occur in said Board, caused by the expiration of the official terms of Drs. Addi-

son Arthurs, James McCann and Thos. S. Mitchell, Esq., and also to request, that you fill said vacancies by election on this, the last Monday in January, in compliance with the provisions of Sec. 17 of an act, approved, April 8, 1852.

Respectfully submitted,

CROSBY GRAY,
Health Officer.

PITTSBURGH, January 31, 1876.

Which was read, received, and ordered to be filed.

Mr. THOMPSON moved,

To meet in Joint Session.

Mr. FOLEY moved,

To amend by meeting with Select Council in Joint Session, at 3 P. M., prevailed. And the motion as amended prevailed.

M. THOMPSON presented, recommended affirmatively by the Street Committee.

No. 30 C. C. An Ordinance granting to the Atlantic and Pacific Telegraph Company the privilege to erect poles and construct telegraph lines, on streets and alleys in the City of Pittsburgh.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Roth, Rott, Thompson, Torrence, Vocamp, Wainwright, Negley—35.

Noes—none.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also,

No. 49. Report of the Viewers of Street Improvements, on the damages caused by the grading of Carson street, from Monongahela bridge to City line.

Mr. FOLEY moved,

That the report be referred to the Committee on Streets, to give all the parties in interest a hearing.

Which prevailed.

Mr. AULL presented, from the Committee on Surveys, affirmatively recommended.

No. 14 C. C. An Ordinance, locating Grand avenue.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Rahauser, Reynolds, Rott, Thompson, Torrence Vocamp, Negley—32.

Noes—None.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

No. 17 C. C. An Ordinance, vacating Collins avenue, from Stanton avenue to Graff street.

Which was read.

And, the rule being suspended, the bill was read a third time.

And on the question, Shall the bill pass

finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley—36.

Noes—none.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

No. 10 C. C. An Ordinance, locating Harrison street, between Fiftieth and Fifty-third streets.

Which was read.

And, the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Roth, Rott, Torrence, Voskamp, Wainwright, Negley—35.

Noes—none.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

No. 11 C. C. An Ordinance locating Meyer avenue, Thirty-second ward.

Which was read.

And, the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Roth, Rott, Torrence, Voskamp, Wainwright, Negley—35.

Noes—none.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

No. 12 C. C. An ordinance locating Hoffman street from Grand avenue to Gordon street.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley.

Noes—None.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also, from the same Committee affirmatively recommended.

No. 18 C. C. An ordinance establishing the grade of the north curb of Denny street.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Rahauser, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley.

Noes—None.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

No. 13. An Ordinance locating Center street, from Pearl to Winebiddle streets.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Lemmer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley.

Noes—None.

And a legal majority of the votes being in the affirmative, the bill passed finally.

The hour of 3 P. M. having arrived, the Clerk was directed to inform Select Council that Common Council were now ready to meet Select Council in Joint Session for the purpose of electing three persons to serve as members of the Board of Health.

And Select Council being introduced, Councils so met in Joint Session.

Councils proceeded to said election; and, Mr. SINGERLY nominated Addison Arthurs.

Mr. McCORMB nominated J. P. McCord.

Mr. METZGAR nominated James McCann.

Mr. HERRON nominated J. L. Follansbee.

Mr. AULL nominated T. S. Mitchell.

Pending the calling of the roll, Mr. Herron, by leave, withdrew the name of G. L. Follansbee.

Before the announcement of the result, Mr. B. Darlington, by leave, changed his vote from G. L. Follansbee to J. P. McCord.

Mr. DENNISTON from G. L. Follansbee to Thomas S. Mitchell.

Mr. GLASS from G. L. Follansbee to James McCann.

And Addison Arthurs received 72 votes.

J. P. McCord received 87 votes.

James McCann received 78 votes.

T. S. Mitchell received 62 votes.

And Addison Arthurs, J. P. McCord and James McCann were duly elected members of the Board of Health for the ensuing term.

And the business of the Joint Session being over, Select Council returned to their own chamber.

And Council resumed the consideration of business.

Mr. AULL called up.

An Act, entitled "An Act regulating the representation and election of members of Select Council of the several wards of the city or cities of the second class of this Commonwealth, and authorizing the Councils of such cities to change the boundary lines, and to increase or diminish the number of the wards thereof."

In C. C., January 17th. Read and ordered to be printed.

Which was read.

Mr. AULL moved.

That the Act be approved, and transmitted to the Legislature of Pennsylvania with a recommendation for its passage.

Mr. BOUCHER moved.

To amend the bill by striking out all after the word "Commonwealth," in the title.

And by striking out the second section.

Which prevailed.

Mr. NISBET moved.

To postpone action indefinitely.

On which the ayes and noes were called.

And the call being sustained, was ordered, and were.

Ayes—Messrs. Atcheson, Clark, Dickson, Dauler, Flinn, Fritz, Hagan, Kettenberg, Lemmer, McCafferty, Nisbet, Rott, Torrence, Voskamp—14.

Noes—Messrs. Aull, Bell, Boucher, Coll, Conway, Fennerty, Foley, Hahn, Helmsold, Hughes, Kerr, Mears, Moore, Nantker, Neeb, Rahausen, Reynolds, Roth, Thompson, Wainwright, Negley—22.

And the motion to indefinitely postpone action did not prevail.

And on the motion to approve the bill as amended, the ayes and noes were taken, and were as follows:

Ayes—Messrs. Aull, Bell, Boucher, Coll, Conway, Fennerty, Foley, Hahn, Helmsold, Hughes, Kettenberg, Lemmer, Mears, Moore, Nantker, Neeb, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley—23.

Noes—Messrs. Atcheson, Clark, Dickson, Dauler, Flinn, Fritz, Ferson, Hagan, Kerr, McCafferty, Nisbet, Rahausen, Reynolds—13.

And the bill was approved.

Mr. THOMPSON, by leave, presented.

No. 50. WHEREAS, A bill has been read in place in the Legislature of Pennsylvania relating to the weighing of refined oil, instead of gauging the same, and to allow the manufacturer to do his own weighing, thereby taking the control of the same from the City Gauger, and repealing an ordinance of this city, etc.; therefore,

Resolved, That our members be requested to use all honorable means to secure the defeat of said bill.

Which was read and passed.

BUSINESS FROM SELECT COUNCIL.

No. 55. A Resolution recommending the passage of an Act of Assembly allowing an increase of the debt of cities of the second class.

In S. C., January 31st, 1876. Passed.

And Special Committee of Seven to be appointed to visit Harrisburg and press the passage of the bill.

In which action Common Council concurred.

And Messrs. Fox, Foley and Hughes were appointed on behalf of Common Council.

No. 57. S. C. Resolution for the erection of public gas lamps by the East End Gas Company.

In S. C., January 31st, 1876. Passed finally.

Which was read, and passed finally.

No. 58. S. C. Resolution for the erection of public gas lamps by the South Side Gas Company.

In S. C., January 31st, 1876. Passed finally.

Which was read and passed finally.

No. 43. S. C. Petition of Alderman C. E. Miliken for removal of election polls in the second precinct Second ward.

In S. C., January 31st, 1876. Received and filed.

In which action Common Council concurred.

No. 41. S. C. Resolution for the removal of the election polls of second precinct Second ward, from the office of Alderman Miliken to John Napier's carriage bazaar, No. 136 Fourth avenue.

In S. C., January 31st, 1876. Passed.

In which action Common Council concurred.

No. 56. S. C. *To the Select and Common Councils of the City of Pittsburgh:*

GENTLEMEN:—Your Committee on City Printing respectfully report, that at a meeting held on January 26th, at which the proprietors of both German newspapers were present, the award of the contract, to do the newspaper printing (German), was reconsidered, and the parties, by consent, submitted new proposals, to wit:

Freiheit's Freund, first insertion, per square, nineteen cents; each additional insertion, ten cents.

Volksblatt, first insertion, per square, fifteen cents; each additional insertion, nine cents.

Sworn statements of circulation within the city were submitted by both parties. That of the *Freiheit's Freund* showing 4,237, and that of the *Volksblatt*, 938.

And your Committee, after giving the subject a full consideration, awarded the contract to the *Freiheit's Freund*.

In S. C., January 31st, 1876. Read, received and approved.

Which was read.

Mr. FOLEY presented.

No. 51. C. C. *To the Honorable, the Select and Common Councils of the City of Pittsburgh:*

GENTLEMEN:—The undersigned respectfully begs leave to again enter his protest to the award made by the Printing Committee of the German City Printing.

True, the result of his first appeal has been a saving to the city of several thousand dollars a year. But still a further saving could be saved by accepting the bid of the undersigned. Regarding the other party's statement as to city circulation, he is free to state that in common with public opinion he can believe only about half of it.

Maintaining that he is still yet the lowest responsible bidder, the undersigned respectfully appeals to your Honorable Bodies according to the original and true intent of the law, to award to him the German City Printing.

Most respectfully,

CHAS. FREDK. BAUER,

Editor and Proprietor of *Volksblatt*.

Which was read, received and filed.

Mr. AULL moved.

That the Report be received and filed.

Prevailed.

Mr. THOMPSON moved.

That the Report, covering the award of contract for German City Printing, be approved.

On which Mr. FOLEY called for the ayes and noes, and the call being sustained, was ordered, and was as follows:

Ayes—Messrs. Atcheson, Aull, Bell, Boucher, Conway, Dickson, Dauler, Flinn, Fritz, Ferson, Hughes, Kerr, Kettenberg, Mears, Moore, McCafferty, Nantker, Rahausen, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley—24.

Noes—Messrs. Clark, Coll, Fennerty, Foley, Hahn, Hagan, Helmsold, Lemmer, Reynolds, Roth—10.

And a majority of the votes being in the affirmative, the Report was approved.

Mr. AULL moved,
That the Clerk be directed to transmit to the Legislature the Act of Assembly reducing the number of Select Council of cities of the second class, without transmitting the same to Select Council for their approval.

Mr. FOLEY moved,
To amend by placing the bill in the charge of the Special Committee appointed to visit Harrisburg on the bill for the increase of the indebtedness of cities of the second class, etc.

Which did not prevail.

And the motion of Mr. AULL prevailed.

No. 30, S. C. Report of the organization of the Committee on Gas Lighting.

In S. C., January 24th, 1876. Read and accepted.

No. 29, S. C. Report of the organization of the Committee on Wooden Buildings.

In S. C., January 24th, 1876. Read and accepted.

No. 37, S. C. Report of the organization of the Committee on Ordinances.

In S. C., January 24th, 1876. Read and accepted.

No. 36, S. C. Report of the organization of the Committee on Allegheny Wharf.

In S. C., January 24th, 1876. Read and accepted.

No. 28, S. C. Report of the organization of the Committee on Markets.

In S. C., January 24th, 1876. Read and ac-

cepted.

No. 38, S. C. Report of the organization of the Committee on Roads.

In S. C., January 24th, 1876. Read and accepted.

No. 26, S. C. Report of the organization of the Committee on Water.

In S. C., January 24th, 1876. Read and accepted.

No. 27, S. C. Report of the organization of the Committee on City Property.

In S. C., January 24th, 1876. Read and accepted.

Which were severally read.

And the action of Select Council concurred in.

No. 52, S. C. Report and estimate from the City Engineer on the extinguishment of the fire on Herron Hill.

In S. C., January 31st, 1876. Read and received.

In which action Common Council concurred.

No. 53, S. C. Resolution referring the matter of fire on Herron's Hill to the Water Committee and City Attorney, to report to Councils, what in their estimation is the proper course for the city to pursue.

In S. C., January 31st, 1876. Passed.

In which action Common Council concurred.

Adjourned.

(No. 138.)

AN ORDINANCE—Fixing the Salary
of the Building Inspector.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the first day of February, A. D. 1876, the salary of the Building Inspector shall be and the same is hereby established at one thousand five hundred dollars per annum.

Ordained and enacted into a law in Councils this 13th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,

Clerk of Common Council.

Approved Dec. 20, 1875.

Recorded in Ordinance Book, vol. 4, page 165, January 6, 1876.

(No. 136.)

AN ORDINANCE—Fixing the Salary
of the City Assessor.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the first day of February, 1876, the salary of the City Assessor be and is hereby established at two thousand two hundred dollars per annum, which shall be in full compensation for all services, including his duties as Secretary to the Board of Revision,

Ordained and enacted into a law, in Councils, this 13th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,

Clerk of Common Council.

Approved December 20, 1875.

Recorded in Ordinance Book, vol. 4, page 165, January 5, 1876.

(No. 139.)

AN ORDINANCE—Establishing the
salary of the City Engineer.

SECTION 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the first day of February, A. D. 1876, the salary of the City Engineer be and is hereby established at three thousand two hundred dollars per annum, and shall be in full compensation for his services.

Ordained and enacted into a law in Councils this 13th day of December, A. D. 1875.

A. H. GROSS,

President of Select Council.

Attest—E. S. MORROW,

Clerk of Select Council.

W. B. NEGLEY,

President of Common Council.

Attest—GEO. BOOTH,

Clerk of Common Council.

Approved Dec. 20, 1875.

Recorded in Ordinance Book, vol. 4, page 167, January 7, A. D. 1876.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Tuesday, February 1, 1876.

No. 5.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS PRESIDENT.
E. S. MORROW CLERK.

PITTSBURGH, February 1, 1876.

Council met pursuant to the act of assembly, for the purpose of electing two persons to be members of the Board of Guardians of the Poor.

Present—Messrs. Ahl, Aiken, Barclay, Braun, Brown (R. B.), Brown (S. S.), Darlington (B.), Dietrich, Doyle, Epping, Fox (George), Fox (Gregor), Froehlich, Gelger, Glass, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kerr, Lappan, Littell, Meyer, Moore, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, O'Neil, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Shipton, Singlerly, Taylor, Weldon.

Absent—Messrs. Atkinson, Bates, Bruce, Buckley, Carr, Dannels, Darlington (H.), Deniston, Duff, Evans, Felker, Foster, Herroon, Kennedy, Kernan, Lagerman, Miller, McCombs, Negley, Nossor, Perry, Rolfe, Schwarm, Sorg, Vierheller, Waring, Welsh, Gross.
In the absence of the President, Mr. Aiken was called to the Chair.

The President presented,

[61] Resignation of Henry Metzgar, as member of Select Council from the Thirtieth ward.

Which was read and accepted.

The President presented,

[62] A communication from the Secretary of the Board of Guardians of the Poor, announcing the expiration of the official terms of Thomas Jones and David Fitzsimmons, as members of said Board.

Which was read and received.

Whereupon, Council proceeded to the election of two persons to be members of said Board.

Mr. SAWYER nominated,

Jno. M. Osborne.

Mr. SHIPTON nominated,

Thomas Jones and David Fitzsimmons.

And the result of the voting was as follows:
For Thomas Jones—

Messrs. Ahl, Aiken, Barclay, Braun, Brown (R. B.), Brown (S. S.), Darlington (B.), Dietrich, Epping, Fox (George), Fox (Gregor), Froehlich, Gelger, Glass, Goldthorp, Holliday, Hayden, Hunter, Jeremy, Kerr, Lappan, Littell, Meyer, Moore, Murray, Musgrave,

McCandless, MacConnell, McClurg, McGimpsey, McKinley, O'Neil, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Taylor, Weldon.

For Jno. M. Osborne—

Messrs. Ahl, Aiken, Braun, Brown (R. B.), Dietrich, Doyle, Epping, Fox (George), Fox (Gregor), Froehlich, Gelger, Glass, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kerr, Lappan, Littell, Murray, MacConnell, McClurg, McKinley, O'Neil, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Singlerly, Taylor.

For David Fitzsimmons—

Messrs. Barclay, Brown (S. S.), Darlington (B.), Doyle, Meyer, Moore, Musgrave, McCandless, McGimpsey, Rodgers, Schwarm, Shipton, Singlerly, Weldon.

And Thomas Jones received.....41 votes.
Jno. M. Osborne ".....32 "

David Fitzsimmons received 14 "

And Thomas Jones was declared duly elected a member of said Board, for the ensuing term.

And there being no choice for a second person, to be a member of said Board, Council again proceeded to an election.

And the result of the voting was as follows:

For Jno. M. Osborne—

Messrs. Ahl, Aiken, Braun, Brown (R. B.), Darlington (B.), Dietrich, Epping, Evans, Fox (George), Fox (Gregor), Froehlich, Gelger, Glass, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kerr, Lappan, Littell, Meyer, Murray, MacConnell, McClurg, McKinley, O'Neil, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Sorg, Taylor, Weldon.

For David Fitzsimmons—

Messrs. Barclay, Brown (S. S.), Doyle, Moore, Musgrave, McCandless, McGimpsey, Schwarm, Shipton, Singlerly.

And Jno. M. Osborne received.....36 votes.

David Fitzsimmons ".....10 "

And there being no choice, Council again proceeded to said election.

And the result of the voting was as follows:

For Jno. M. Osborne—

Messrs. Ahl, Aiken, Braun, Brown (R. B.), Darlington (B.), Dietrich, Doyle, Epping, Fox (George), Fox (Gregor), Froehlich, Gelger, Glass, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kerr, Lappan, Littell, Murray, Musgrave, MacConnell, McClurg, McKinley, O'Neil, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Sorg, Taylor, Weldon.

For David Fitzsimmons—

Messrs. Barclay, Brown (S. S.), Evans, Meyer, Moore, McCandless, McGimpsey, Shipton, Singlerly.

And Jno. M. Osborne received.....37 votes.

David Fitzsimmons ".....9 "

And Jno. M. Osborne was declared duly elected a member of said Board for the ensuing term.

Mr. SAWYER moved,
That Council proceed to the consideration of regular business.

Which motion prevailed.

The President presented,

[63] A copy of House Bill No. 104, an Act prescribing the manner in which the Councils of cities may pass ordinances authorizing the grading or paving of avenues, streets or alleys and the construction of sewers or bridges.

Which was read, and the passage by the Legislature recommended.

Mr. MUSGRAVE,

[64] An Ordinance authorizing the leasing of certain city property to the Excelsior Flint Glass Company.

Which was referred to the Market Committee.

Mr. LITTELL, the following :

[65] WHEREAS, The sum of \$100,000 has been appropriated by Congress toward the construction of a lock and dam immediately below Pittsburgh, the effect of which would be the permanent improvement of the harbor fronting the south and north sides of the city with a sufficient depth of water in the Allegheny river during the entire season to accommodate the traffic to and beyond the limits of the city; and,

WHEREAS, An effort is being made to prevent the construction of said lock and dam at the point now determined upon and have it constructed at Wheeling to the great detriment of the commerce of Pennsylvania: therefore,

Resolved, That the Councils of the City of Pittsburgh do hereby protest against the proposed change or modification of existing legislation in regard to the improvement of the Ohio.

Resolved, That our representative in Congress be furnished with a copy of these resolutions with the request that he shall bring it before the appropriate committee.

Which was read.

Mr S. S. BROWN moved,

To lay on the table.

Which motion did not prevail.

And, the rule being suspended, the preamble and resolutions were passed.

COMMON COUNCIL BUSINESS.

The following business from Common Council was then taken up.

C. C. No. 35. Preamble and resolutions relative to the Centennial celebration in Philadelphia.

In C. C. passed.

Which was read.

Mr. SINGERLY moved,

To lay on the table.

Which did not prevail.

Mr. HUNTER moved,

To postpone action until next meeting.

Which motion prevailed.

Reports of the organization of the following Committees :

20 Streets.

21 Surveys.

22 Police.

23 Retrenchment and Reform.

24 Claims and Accounts.

25 Monongahela Wharf.

28 Railroads.

29 Appeals from City Assessments.

Which in C. C. were severally read and approved.

In which action S. C. concur.

Mr. KERR presented the following :

[66] Resolved, That the Street Commissioner of the Sixth District be and is hereby instructed to remove the dirt now lying on the street in front of the Castle Shannon coal platform, Thirtieth ward.

Which was read.

Mr. KERR moved,

The passage of the resolution.

Mr. LITTELL moved,

To refer the resolution to the Street Committee.

Which motion prevailed.

Mr. MURRAY presented,

A series of resolutions passed by the citizens of the Twenty-second ward.

Which were read.

Mr. MACCONNELL moved,

That the resolutions being disgraceful and insulting be returned to the gentlemen who presented them, with the silent contempt of this body.

Mr. SAWYER moved, as an amendment,

That the resolutions be received and filed.

Upon which motion a division was had and there were seven ayes and twenty-six noes.

So the motion did not prevail.

Mr. GOLDTHORP moved,

To lay the resolutions on the table.

Upon which motion a division was had, and there were seventeen ayes and twenty noes.

So the motion did not prevail.

And the motion of Mr. MacConnell prevailed.

Mr. BRAUN presented,

[67] An Ordinance authorizing the opening of Center street, from Pearl to Winebiddle streets.

Referred to Street Committee.

Also,

[68] An Ordinance authorizing the grading paving and curbing of Center street, from Pearl to Winebiddle streets.

Referred to Street Committee.

And on motion, Council adjourned.

Attest E. A. Morrison
CL.

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

February 1, 1876.

Council met pursuant to the Act of Assembly for the purpose of electing two persons to be members of the Guardians of the Poor.

In the absence of the President, Mr. AULL was called to the Chair.

Present—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Dauter, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Helms, Hughes, Kerr, Kettenberg, Kirshner, Meats, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahanser, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Walnwright.

Absent—Messrs. Bell, Clark, Coll, Hahn, Hagan, Hogle, Laughran, Lemmer, Morrison, Powers, Robeson, Negley.

On motion of Mr. NEEB,

The reading of the minutes was dispensed with.

The CHAIR presented,

No. 52, C. C. A communication from the Secretary of the Board of Guardians of the Poor, announcing the expiration of the official terms of William Douglass and S. S. Boggs.

Which was read and received.

Whereupon, Council proceeded to the elec-

tion of two persons to be members of said Board.

Mr. FOLEY nominated

S. S. Boggs.

Mr. CONWAY nominated

William Douglass.

Mr. NEEB nominated

Joseph S. Finch.

Mr. FERSON nominated

F. Torrens.

And the nominations closed.

Mr. FOLEY moved,

That after the first ballot the one receiving the lowest number of votes shall be dropped from the list.

Prevailed.

And the result of the voting was as follows:

For S. S. Boggs—

Messrs. Acheson, Boucher, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Foley, Helmold, Hughes, Kerr, Kettenberg, Kirchner, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahausen, Reynolds, Rott, Thompson, Torrence—21.

For William Douglass—

Messrs. Aull, Conway, Fritz, Fennerty, Ferson, Helmold, Mears, Roth, Torrence, Voskamp, Wainwright—11.

For Joseph S. Finch—

Messrs. Acheson, Boucher, Dickson, Flinn, Fox, Foley, Hughes, Kettenberg, Kirchner, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rott, Thompson, Wainwright—18.

For F. Torrens—

Messrs. Aull, Dauler, Fennerty, Ferson, Kerr, Rahausen, Reynolds, Roth, Voskamp—9.

And S. S. Boggs received.....24 votes.

Wm. Douglass received.....11 votes.

Joseph S. Finch received.....18 votes.

F. Torrens received.....9 votes.

And S. S. Boggs was declared duly elected to be a member of said Board for the ensuing term.

And there being no choice for a second person to be a member of said Board,

Council again proceeded to said election (the name of F. Torrens being dropped from the list.)

And the result of the voting was as follows:

For Wm. Douglass—

Messrs. Conway, Fritz, Fennerty, Ferson, Helmold, Mears, Roth, Torrence, Voskamp—9.

For Joseph S. Finch—

Messrs. Acheson, Aull, Boucher, Dickson, Dauler, Flinn, Fox, Foley, Hughes, Kerr, Kettenberg, Kirchner, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahausen, Reynolds, Rott, Thompson, Wainwright—22.

And Wm. Douglas received.....9 votes.

Joseph S. Finch received.....22 votes.

And Joseph S. Finch was declared duly elected member of said Board for the ensuing term.

Mr. Fox, by leave, presented,

No. 53. Petition of Michael Conroy remonstrating against the confirmation of the Report of the Viewers on the damages by grade on Carson street.

Referred to Street Committee.

Adjourned,

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, February 14, 1876.

No. 6.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

February 14, 1876.

Council met.

Mr. Aiken was called to the chair in absence of the President.

Present—Messrs. Ahl, Aiken, Atkinson, Barekley, Bates, Brown (R. B.), Bruce, Buckley, Carr, Dannels, Denniston, Duff, Epping, Evans, Foster, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Herron, Holliday, Hunter, Kennedy, Kerr, Lagerman, Lappan, Littell, Miller, Moore, Murray, Musgrave, McCandless, McCombs, McClurg, McGimpsey, McKinley Negley, Nusser, O'Neil, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Vierheller, Weldon, Welsh.

Absent—Messrs. Braun, Brown (Sam'l S.), Darlington (B.), Darlington (H.), Deitrich, Doyle, Felker, Jeremy, Kernan, Meyer, MacConnell, Perry, Powers, Taylor, Waring, Gross.

The meetings of the minutes of January 31st and February 1st were read and approved.

Mr. McCANDLESS by leave presented,

[69] *Resolved*, That our representatives at Harrisburg be, and they are hereby requested, to have the bill now before the Senate, for an increase of indebtedness amended so as to make it call for one half of one per centum of the assessed valuation, instead of one per centum.

Which was read and passed.

The PRESIDENT,

[70] The resignation of G. L. Braun, as member of Select Council from the Third ward.

Which was read and accepted.

Also, the following message from the Mayor returning to Councils, S. C. No. 55. Resolution asking the passage of an act of assembly allowing cities of the second class to increase their indebtedness.

[71]

To the President and members of the Select Council of the City of Pittsburgh.

I return to the body in which it originated, the resolution and preamble asking for the immediate passage by the Legislature of the Act now before it, authorizing cities of the second class to increase their indebtedness.

It would appear from the second paragraph of the resolution and its preamble, that \$750,000 was the amount involved, but if I have been correctly informed the bill before the Legislature, if passed, will authorize an issue of \$5,000,000, and it is this bill which the resolution before me asks for the immediate passage, although a cursory reading of it would lead to the belief that only \$750,000 was the total asked for.

I withhold from this paper my approval, for the reason that the bill asks for over \$1,000,000 more than is sufficient for present needs.

The history of the issue of \$4,500,000 of bonds heretofore authorized for the Water Works is such as to demand the most extreme caution in asking for authority to issue more. It is a fact, susceptible of proof, that of the \$4,500,000 heretofore authorized, over one half a million is to-day unavailable or squandered. This fact makes it imperative that no more bonds should be asked for than will meet the most pressing and absolute necessities of the city for the coming year. That absolute and pressing necessity is found in the obligation to keep faith with the contractors for the Water Works and to secure the city from its own present peril from fire. The amount absolutely required will not exceed \$345,000.

Yours respectfully,

WM. C. MCCARTHY,
Mayor.

Which was read and received.

Mr. HUNTER presented,

[72] Petition of citizens of the First ward, asking that the letting of the contracts for the improvement of the streets at the "Point" be postponed for the present.

Which was referred to the Street Committee.

Mr. MUSGRAVE,

[73] Petition for exoneration of taxes of Wm. Minnesager's Heirs, Sarah and Mark Dougherty, Jno. Parkinson, and the Soho Mission Church, Fourteenth ward.

Which, referred to the Committee on Appeals from the City Assessments.

Mr. WELSH,

[74] Petition of J. W. Sholefield, for privilege to erect an addition to a frame building, No. 1003 Penn avenue.

Which was referred to the Committee on Wooden Buildings.

Mr. WELDON,

[75] Petition for the erection of four public gas lamps on Hiland avenue bridge, and one at the N. W. corner of Hiland and Ellsworth avenues.

Which was referred to the Committee on Gas Lighting.

Also,

[76] A copy of preambles and resolu-

tion adopted by the citizens of the Fifteenth ward, reciting that a large quantity of powder was at present stored in the Powder Magazine at the U. S. Arsenal, and requesting Councils to take such action as may cause the removal of the same.

Which was read.

Also, the following:

[76] *Resolved*, That in compliance with the request of the citizens a Committee consisting of two from Select and three from Common Councils be appointed to wait upon the officer commanding at the Allegheny Arsenal, and ascertain what amount of powder is kept in store in the Arsenal Magazine.

Which was read.

Mr. SHIPTON moved.

That the matter be referred to the members of Councils from the Fifteenth and Seventeenth wards.

Which motion prevailed.

Mr. McKINLEY.

[78] Petition for the erection of public gas lamps on Winebiddle street.

Which was referred to the Committee on Gas Lighting.

Mr. SAWYER.

[79] A draft of an act of assembly requiring the corporation of every railroad having a terminus in any city of the State containing at least 20,000 inhabitants, to furnish each day a morning train into every such city and an evening train out, or suitable cars attached to other trains, reaching and leaving said cities at about six o'clock in the forenoon and afternoon, or at such hours as may be fixed by competent authorities, for distances not exceeding fifteen miles; and for such trains the railroad corporations shall furnish yearly season tickets at a rate not exceeding three dollars per mile per year, good once a day each way for six days in a week, and quarterly tickets not to exceed one dollar per quarter per mile.

Mr. SAWYER moved.

To approve.

Mr. SHIPTON moved, as a substitute.

To refer to the Railroad Committee.

Which motion prevailed.

Mr. LITTELL.

[80] An ordinance locating Station street, from Frankstown avenue to Denniston avenue.

Which was referred to the Survey Committee.

Also,

[81] A communication from W. H. Denniston, Secretary, East End Gas Co., renewing the proposition made last year, to furnish gas for public lamps and buildings for \$1.25 per M., providing the contract shall extend for a term of fifteen years.

Which was read and referred to the Committee on Gas Lighting.

Also,

[82] An ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

Which was read and referred to the Committee on Gas Lighting.

Mr. EVANS.

[83] Petition of August Rudolph, for an abatement of business tax.

Referred to Finance Committee.

Mr. CARR the following:

[84] WHEREAS, The South Side is excluded from all benefits derived from the new water works, therefore be it

Resolved, That the Finance Committee in making their estimate for the coming year, are directed to exonerate all the South

Side wards, from the tax known as the Water Works Interest Tax.

Which was read.

Mr. CARR moved.

The passage of the preamble and resolution.

Mr. HUNTER, as a substitute moved.

To refer to the Finance Committee.

Which motion prevailed.

Mr. KERR.

[85] An ordinance relating to the sale of merchandise from boats, cars, wharves, landings, railroad sidings and depots in the City of Pittsburgh.

Which was referred to the Ordinance Committee.

Also, the following:

[86] *Resolved*, That the pages be instructed to obtain one additional file for each member and to place the papers from each Council in numerical order, in a separate file.

Which was read and passed.

Mr. McCOMBS by leave called up.

C. C. Bill, No. 14, entitled, An Ordinance locating Grand avenue.

And moved.

To refer to the Street Committee.

Which motion prevailed.

Also, by leave.

C. C. Bill No. 12, entitled an Ordinance locating Hoffmann street, from Grand avenue to Garden street.

And moved.

To refer the bill to Street Committee.

Which motion prevailed.

Mr. FOSTER.

[87] Petition of Jacob Schringer for refunding of overpaid business tax.

Which was referred to the Finance Committee.

Mr. EPPING.

[88] A Petition asking for an increase in the size and strength of the Thirty-third street sewer.

Which was referred to the Street Committee.

Mr. RODGERS, the following:

[89] *Resolved*, That the official papers publish the full proceedings of Councils.

Which was read.

Mr. SHIPTON moved.

To refer to the Printing Committee.

Which motion prevailed.

Mr. SHIPTON, from the Finance Committee.

[90] A Report covering and recommending the passage of accompanying resolutions for exoneration and refunding of overpaid taxes.

Which was read, and received.

Also, from the same Committee, affirmatively:

[91] *Resolved*, That the City Treasurer is hereby authorized and directed to grant an exoneration to Hussey & Dravo, from the payment of eighty-five dollars and forty-two cents of their taxes for the year 1875, in the Thirty-third ward.

Which, the rule being suspended, was read three times and passed, by a vote on a division had of thirty ayes and one no.

Also, from the same Committee, affirmatively:

[92] *Resolved*, That the Controller be, and he is hereby directed to certify a warrant upon the Mayor, in favor of Henry Engel, Fifteenth ward, for the sum of fifty dollars and forty-nine cents, overpaid taxes erroneously assessed as per certificate of the Assessor attached and charge Contingent Fund.

Which the rule being suspended was read three times and passed.

Also, from the same Committee affirmatively:

[93] *Resolved*, That the Controller be, and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant for nine dollars and sixty-eight cents in favor of Conrad Eckert, of the Twenty-first ward, for refunding of taxes unjustly paid by him, and charge the same to Contingent Fund.

Which, the rule being suspended, was read three times and passed.

Also, from the same Committee affirmatively:

[94] *Resolved*, That the City Controller be, and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in payment for rent due from the city on account of Hutchinson's Battery, and charge the same to Contingent Fund.

Which was read.

Mr. HOLLIDAY moved,

To refer to the Finance Committee in conjunction with the City Attorney.

Mr. CARR moved,

To amend by substituting Committee on Claims and Accounts.

Which motion prevailed, and the motion was so amended, and as amended prevailed.

Mr. HUNTER, from Committee on City Property, presented,

[95] A report covering a statement of expenditures (\$379.75) for the month of January, and recommending passage of accompanying resolution for the purchase of a flag.

Which was read and accepted.

Also, from the same Committee, affirmatively:

[96] *Resolved*, That the Committee on City Property be and are hereby authorized to purchase a flag for Municipal Hall, at a cost not to exceed sixty-three dollars.

Which was read.

Mr. SHIPTON moved to amend,

By the insertion of the word "National" before the word "Flag."

Which motion prevailed, and the resolution was so amended.

And the rule being suspended, the resolution as amended was read a third time and passed.

Also,

[97] Petition of of Loudon Campbell for exoneration of business taxes.

Which was referred to the Finance Committee.

Mr. MUSGRAVE,

[98] A report from the Market Committee, covering a statement of expenditures for the month of January (\$778.46.)

Which was read and accepted.

Also, from the same Committee, affirmatively,

[99] *Resolved*, by the Select and Common Councils of the City of Pittsburg that permission be and is hereby granted to Duquesne Greys to sub-let, "Old City Hall" during the year 1876 provided that one half the net revenue derived from said sub-letting shall be paid into the City Treasury.

Which was read.

Mr. GREGOR FOX moved,

To lay the resolution on the table.

Which motion prevailed.

Also, from the same Committee, with a negative recommendation,

[64] S. C. Bill No. 64, entitled, "an Ordinance authorizing the leasing of certain City property to the Excelsior Flint Glass Company."

Which was read.

Mr. BRUCE moved,

That the recommendation of the Committee be approved.

Which motion prevailed.

Also, the following:

[100] *Resolved*, that the Superintendent of Markets be directed to forthwith notify the Duquesne Greys to pay all arrearages of rent within thirty days, or in default thereof to yield possession of the premises occupied by them.

Which was read.

Mr. HUNTER moved,

To refer to the City Attorney for an opinion as to the liability of the City to furnish quarters to the military.

Mr. EPPING moved, as an amendment,

To lay on the table, and send notice to the Colonel Commanding.

Upon which motion a division was had, and there were eleven ayes and twenty noes; so the motion was negatived.

Upon the motion of Mr. Hunter, a division was had and there were nine ayes and twenty-two noes; so the motion was decided in the negative.

Mr. MUSGRAVE moved,

The passage of the resolution,

Which motion prevailed.

Mr. SHIPTON moved,

Ordered, That when this Council adjourns it adjourn till Thursday at 2 o'clock P. M. to consider the appropriation Ordinance.

Which motion prevailed.

Mr. BRUCE,

[101] A report from the Road Committee covering a statement of expenditures for the month of January (\$1,283.07.)

Which was read and received.

Also, from the same Committee affirmatively, the following:

[102] *Resolved*, that the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of S. R. Johnston & Co., for the sum of two hundred dollars and charge the same to appropriation No. 22—Roads.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee, affirmatively,

[48] S. C. Bill No. 48 entitled "An Ordinance changing the name of Notley street to Delmont street."

Which was read.

And the rule being suspended, the bill, was read a second and third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Bruce, Carr, Duff, Fox (George), Froehlich, Geiger, Goldthorpe, Hayden, Heron, Holliday, Hunter, Kennedy, Lagerman, Lappan, Littell, Miller, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neill, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Weldon, Welsh—43.

Noes—none.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

The Clerk of Common Council being introduced, announced,

That Common Council desired to have returned to them C. C. Bill No. 11, an Ordinance locating Meyer avenue, Thirty-second ward.

Mr. LITTELL moved,

That the request be granted.

Which motion prevailed.

The Clerk of Common Council also announced,

[69] That Common Council had amended S. C. No. 69 Resolution asking amendment of the Act authorizing an increase of indebtedness of Cities of the second class, by fixing the rate at one-fourth of one per centum in place of one-half of one per centum.

And on motion of Mr BRUCE, Select Council receded from former action and concurred in the action of Common Council.

Mr. SAWYER presented,

[103] Resolved, That the Committee on Gas be requested to call the attention of the East End Gas Company to the condition of the pipes on the east side of Butler street as in that portion of the City the lamps give but about one tenth of the light which if kept in proper order they should do, and that if the trouble is not remedied that the Committee be requested to call the attention of R. H. Smith the Gas Inspector to the matter.

Which was read.

Mr. EPPING moved,

To refer to the Gas Inspector.

Which did not prevail.

Mr. SAWYER moved,

To refer to the Committee on Gas Lighting.

Which motion prevailed.

C. C. No. 35, Resolution for the appointment of a Committee on the Centennial, S. C. February 1st action postponed.

Was taken up.

Mr. LITTELL moved,

The passage of the resolution.

Which motion prevailed.

COMMON COUNCIL BUSINESS.

The following business from C. C. was then taken up:

C. C. Bill No. 30 entitled An Ordinance granting to the Atlantic and Pacific Telegraph Company the privilege to erect poles and construct telegraph lines, on streets and alleys in the City of Pittsburgh.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Messrs. Ahl, Aiken, Atkinson, Bates, Bruce, Carr, Fox (George), Froehlich, Gelger, Goldthorpe, Hayden, Herron, Hunter, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, Musgrave, McCandless, McClurg, McKinley, Negley, Nusser, O'Neil, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Ship-ton, Sorg, Weldon, Welsh.—37.

Noes Mr. Duff—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 13, entitled an Ordinance locating Center street, from Pearl to Winebidle streets.

Which was read.

Mr. SHIPTON moved to amend,

By fixing the width at forty instead of thirty feet.

Which motion prevailed, and the Bill was so amended.

C. C. No. 37. Petition for the repaving of Second avenue, from Wood street to Smithfield street.

Read, and referred to Board of Viewers to inquire and report to Councils, whether the improvement prayed for is of local or general benefit, or partly local, and if they shall report it is in whole or in part local to designate the district to be benefitted thereby.

In which action Select Council concurred.

C. C. Bill No. 18 entitled, an Ordinance establishing the grade of the north curb of Denny street.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl Aiken, Atkinson, Bates, Bruce, Carr, Epping, Fox (George), Froehlich, Geiger, Goldthorpe, Hayden, Herron, Hunter, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, Musgrave, McClurg, McKinley, Negley, O'Neil, Ray, Reiman, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singerly, Sorg, Weldon, Welsh.—38.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

And on motion, Council adjourned.

Attest E. S. WARRON

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

February 14, 1876.

Council met.

Present—Messrs. Aull, Bell, Boucher, Coll, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helms, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Moore, Nantker, Neeb, Rahausser, Reynolds, Rott, Thompson, Voscamp, Wainwright, Negley

Absent—Messrs. Alcheson, Clark, Dickson, Flinn, Foley, Kirchner, Laughran, Mears, Morrison, McCafferty, Nisbet, Powers, Roth, Robeson, Torrence.

On motion reading of the minutes was dispensed with.

Mr. NEEB presented,

[54] Petition of Gustave Hagan for refunding of overpaid business tax.

Referred to Finance Committee.

Mr. KERR,

[55] Petition for gas lamps on Wilson street, Eight ward.

Referred to Gas Committee.

Mr. KETTENBERG,

[56] Petition of R. Littellton, for exoneration from payment of business tax.

Referred to Finance Committee.

Also,

[57] Petition of Maurice Wallace for privilege to erect a frame building.

Referred to Committee on Wooden Buildings.

Mr. DAULER,

[58] Petition for gas lamps on Forbes street, corner of Craig and Dithridge streets.

Referred to Gas Committee.

Mr. FOX,

[59] Petition for the grading, paving and curbing of Smallman street, between Thirty-sixth and Thirty-seventh streets.

Referred to Street Committee.

Mr. FENNERTY,

[60] Petition for better drainage at Thirty-third street and Liberty avenue.

Referred to Street Committee.

Mr. WAINWRIGHT,

[61] Petition for the opening of Union alley, between Grant or Wells street, and upper line of John's Estate.

Referred to Street Committee.

Mr. FERSON,
[62] Petition of James Bryar for re-
funding of overpaid business and water taxes.
Referred to Finance Committee.

Mr. AULL,
[63] Petition for the location of Houck
alley, Twenty-first ward.
Referred to Survey Committee.

Also, the following:
[64] *Resolved*, That the City Engineer
be and he is hereby authorized to notify the
Pennsylvania Railroad Company to proceed
at once with the construction of the bridge
crossing, said Railroad from Thirty-third
street to the North Side of Laurel avenue, in
the Sixteenth ward, under the provision of
an Ordinance passed Councils providing for
the same.

Which was read, and passed.

Mr. BOUCHER,
[65] Petition for the location and ex-
tension of Fetzter street, between Bertha and
Kirkpatrick streets.

Referred to Survey Committee.

Also,
[66] Petition for the erection of gas
lamps on Overhill street.

Referred to Gas Committee.

Mr. THOMPSON,
[67] Petition for gas lamps on Garrison
alley.

Referred to Gas Committee.

Mr. THOMPSON,
[68] Report of the Street Committee
covering their expenditures for the month of
January, as follows:

First District Street Commissioner	\$672 01
Second " "	689 39
Third " "	388 41
Fifth " "	593 87
Sixth " "	452 87
Seventh " "	466 59
Engineers Dept.....	1,014 58
Board of Viewers.....	478 00

Total.....\$4,715 72

Read received and filed.
Also, from the same Committee affir-
matively recommended.

No. 25 S. C. An Ordinance authoriz-
ing the construction of a boardwalk on Grand
View avenue, from Bertha street to Sherman
street.

Which was read.

And the rules being suspended, the bill was
read a third time.

And on the question Shall the bill pass
finally, the ayes and noes were taken agreea-
bly to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Coll,
Conway, Dickson, Fox, Fritz, Fennerty, Fer-
son, Hahn, Hagan, Helms, Hogle, Hughes,
Kerr, Kettenberg, Lemmer, Moore, Nantker,
Neeb, Rahausser, Reynolds, Rott, Thompson,
Voskamp, Negley—27.

Noes—None.

And a legal majority of the votes being in
the affirmative, the bill passed finally.

Also, from the same Committee affirma-
tively.

No. 40 C. C. An Ordinance, authoriz-
ing the construction of a sewer on property
of Michael M. Callough, from the end of pres-
ent sewer on Forty-second street, for a dis-
tance of twenty (20) feet.

Which was read.

And the rule was suspended, and the bill
was read a third time.

And on the question, Shall the bill pass fi-
nally, the ayes and noes were taken agreeably
to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Coll, Con-
way, Dickson, Fox, Fritz, Fennerty, Ferson,
Hahn, Hagan, Hogle, Hughes, Kerr, Ketten-
berg, Lemmer, Moore, Nantker, Neeb, Rahau-
ser, Reynolds, Rott, Thompson, Voskamp,
Negley—28.

Noes—None.

And a legal majority of the votes being in
the affirmative, the bill passed finally.

Also, from the same Committee, affirma-
tively,

No. 69, C. C. An Ordinance authoriz-
ing the assessment of damages and benefits
caused by the grading of Thirty-third street,
from Liberty avenue to Herron avenue.

Which was read.

And the rule was suspended, and the bill
was read a third time.

And on the question, Shall the bill pass
finally, the ayes and noes were taken agreea-
bly to law, and were.

Ayes—Messrs. Bell, Boucher, Coll, Conway,
Dickson, Fox, Fritz, Fennerty, Ferson, Hahn,
Hagan, Helms, Hogle, Hughes, Kerr, Ket-
tenberg, Lemmer, Moore, Nantker, Neeb, Ra-
hauser, Rott, Thompson, Voskamp, Negley
—25.

Noes—None.

And a legal majority of the votes being in
the affirmative, the bill passed finally.

Also, from the same Committee, affir-
matively recommended.

No. 39, C. C. An Ordinance providing
for the letting by contract of the cleaning of
the streets, lanes and alleys in the First and
Second Street Districts.

Which was read.

And the rule was suspended.

Mr. Fox moved,

To refer the bill to a Special Commit-
tee with instructions to report ordinances to
carry out the provisions of Section 6 of the
Act known as the "Wallace Act."

Which, on a division of the vote, the mo-
tion did not prevail by a vote of 10 for to 13
against.

Mr. REYNOLDS moved,

To lay the bill on the table for the
present.

Which did not prevail.

And the bill was read a third time.

And on the question, Shall the bill pass
finally, the ayes and noes were taken agreea-
bly to law, and were.

Ayes—Messrs. Aull, Bell, Boucher, Conway,
Dickson, Fox, Fennerty, Hahn, Helms, Hogle,
Hughes, Kerr, Lemmer, Moore, Nant-
ker, Neeb, Rahausser, Thompson, Negley—19.

Noes—Messrs. Coll, Fritz, Ferson, Hagan,
Kettenberg, Reynolds, Rott, Voskamp—8.

And there not being a legal majority of the
votes in the affirmative, the bill failed to
pass.

Also, from the same Committee, affirma-
tively.

No. 70, C. C. An Ordinance author-
izing the grading, paving and curbing of For-
ty-seventh street from A. V. Railroad to Alle-
gheny River.

Which was read, and referred to Board of
Viewers.

Also, from the same Committee, with nega-
tive recommendation.

No. 49, C. C. A Report of the Viewers
of Street Improvements on the damages
caused by the grading of Carson street, from
Monongahela bridge to city line.

Referred back to Viewers.

Also,

71. A Report of Viewers on the open-
ing of Mary street, from Twenty-seventh
street to Thirty-second street.

Read, received and approved.

Also,

72. An Ordinance to repeal an ordinance entitled, "An Ordinance authorizing the opening of Mary street, from Twenty-seventh street to Thirty-second street.

Referred to Street Committee.

Mr. AULL presented,

73. Report from the Survey Committee covering their expenditures for the month of January, amounting to \$421 77.

Read, received and filed.

Also, from the same Committee, affirmatively recommended,

No. 47, C. C. An ordinance re-locating Murray avenue from Wilkins avenue to Four Mile Run Road.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Bell, Boucher, Fennerty, Hagan, Hogle, Rahausser, Thompson—7.

Noes—Messrs. Aull, Coll, Conway, Dickson, Fox, Fritz, Ferson, Hahn, Helmsold, Hughes, Kettenberg, Lemmer, Moore, Nantker, Neeb, Reynolds, Rott, Voskamp, Negley—19.

And there being a majority of the votes in the negative, the bill did not pass.

Also, from the same Committee, affirmatively,

No. 45, C. C. An ordinance fixing the grade of Madison street, from Fifth avenue to Forbes street.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Aull, Bell, Boucher, Coll, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Moore, Nantker, Neeb, Rahausser, Reynolds, Rott, Thompson, Voskamp, Negley—27.

Noes—none.

And there being a legal majority of the votes in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively,

No. 16, C. C. An Ordinance changing the location of Hebertson street, from Stanton avenue to Graff street.

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Coll, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Moore, Nantker, Neeb, Rahausser, Reynolds, Rott, Thompson, Voskamp, Negley—27.

Noes—None.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Mr. Fox presented,

74. A Report from the Committee on Police covering a statement of their expenditures for the month of January, amounting to \$16,777 53.

Read, received and filed.

Mr. HAHN presented, recommended affirmatively by the Monongahela Wharf Committee,

No. 32, C. C. An Ordinance establish-

ing as a public wharf that portion of the river front of the south side of the Monongahela river within the corporate limits of the city, lying between First and Sixth streets, and extending from low-water line to the south line of Water street, and fixing the rates of wharfage for the use thereof.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Coll, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Lemmer, Moore, Nantker, Neeb, Rahausser, Reynolds, Rott, Thompson, Voskamp, Negley—27.

Noes—None.

And a legal majority of the votes being in the affirmative, the bill passed finally.

Mr. AULL presented the following:

75. Your Committee on City Printing would respectfully report that they have awarded the following contracts:

Printing Mayor's Office books to Dickson & McKalip, at \$55 00.

Printing Water Assessor's books to Nevin, Gribben & Co, at \$93 15.

Which was read, received and approved.

Mr. FENNERTY presented, recommended affirmatively by Committee on Appeals,

76. Resolved, That the City Controller be authorized to issue his certificate on the Mayor for a warrant in favor of C. F. Bauersmith for Fifteen dollars and sixteen cents (\$15.16) overpaid taxes, as allowed by Committee on Appeals, December, 1875, and charge Contingent Fund.

Which was read, and the rules being suspended, was read a third time and finally passed.

BUSINESS FROM SELECT COUNCIL.

S. C. No. 65. Resolution relative to an appropriation by Congress of \$100,000 for the purpose of building a dam in the Ohio river at Pittsburgh, endorsing the same, and protesting against the proposed removal of location to Wheeling.

In S. C. February 1, 1876, passed finally.

Which was read.

Mr. Fox moved,

To postpone action until next meeting.

Which on a division of the vote prevailed by a vote of 13 for to 12 against.

And action was postponed.

90. S. C. Report from the Finance Committee, covering and recommending the passage of sundry resolutions for refunding of overpaid taxes.

In S. C. February 14, 1876, read and approved.

In which action C. C. concurred.

91. S. C. Resolution for a warrant in favor of Conrad Eckert for the sum of Nine dollars and sixty-eight cents (\$9.68) for refunding of overpaid tax, Twenty first ward.

In S. C. February 14, 1876, passed finally.

In which action C. C. concurred.

92. S. C. Resolution for a warrant in favor of Henry Engel for the sum of Fifty dollars and forty-nine cents (\$50.49) for refunding of overpaid tax, Fifteenth ward.

In S. C. February 14, 1876, passed finally.

In which action C. C. concurred.

93. S. C. Resolution exonerating Hussey, Drax & Co. from payment of Eighty-five dollars and forty-two cents (\$85.42) of their taxes for 1875.

In S. C., February 14, 1876, passed.

In which action C. C. concurred.

69, S. C. A resolution requesting our Representatives at Harrisburg to amend the bill now pending for the increase of the indebtedness of cities of the second class, so as to allow an increase of one half of one per centum, instead of one per centum, on the assessed valuation.

In S. C., February 14, 1876, passed.

Which was read.

Mr. AULL moved,

To amend by striking out the words "one half of one per centum," and inserting the words "one fourth of one per centum."

On which the ayes and noes were called, and the call being sustained, was ordered, and the result was:

Ayes—Messrs. Aull, Bell, Boucher, Coll, Conway, Fennerty, Ferson, Hann, Hagan, Helmold, Hogle, Kerr, Kettenberg, Lemmer, Moore, Nantker, Neeb, Rahausser, Reynolds, Rott, Voscamp, Negley—22.

Noes—Messrs. Dickson, Fox, Fritz, Hughes, Thompson—5.

So the amendment prevailed.

And the resolution as amended passed.

86, S. C. Resolution directing the pages of Councils to procure an additional file for each member, and to place the papers of each Council in numerical order in a separate file.

In S. C., February 14, 1876, passed.

Which was read, and on motion, C. C. refused to concur.

No. 63, S. C. An Act prescribing the manner of passing ordinances for street improvements.

In S. C., February 1, read and approved.

In which action C. C. concurred.

Mr. NEEB presented,

No. 77. *Resolved*, That a Joint Committee of five, two from Select and three from Common Council, be appointed to carry out the provisions of a resolution passed by both branches of Councils of 1875, providing for better accommodations for the reporters of the Press in the Council chambers.

Which was read and passed.

And Messrs. Neeb, Thompson and Kerr were appointed on behalf of C. C.

Mr. BOUCHER moved,

To recall from Select Council and reconsider the action on the passage of C. C. Bill No. 11, entitled "An Ordinance locating Meyer avenue, Thirty-second ward," passed January 31.

Which prevailed.

And the action was reconsidered.

And the bill being returned by Select Council, was referred to the Committee on Surveys.

96, S. C. A Resolution authorizing the Committee on City Property to purchase a flag for Municipal Hall at a cost not to exceed \$63.00.

In S. C., February 14, passed.

Which was read, and passed finally under a suspension of the rules.

100, S. C. A Resolution directing the Superintendent of Markets to notify the Duquesne Grays to pay all arrearages of rent within thirty days, or in default thereof to

yield possession of the premises occupied by them.

In S. C., February 14, 1876, passed finally.

Which was read.

Mr. FOX moved,

To postpone action for the present.

Mr. NEEB moved,

To amend by indefinitely postponing action.

Mr. BOUCHER moved,

To lay on the table.

Which prevailed.

And the resolution was laid on the table.

102, S. C. Resolution for a warrant in favor of S. R. Johnson & Co. for the sum of Two hundred dollars (\$200.00).

In S. C., February 14, 1876, passed finally.

Which was read, and passed finally under a suspension of the rules.

95, S. C. Report of the Committee on City Property covering expenses for January.

In S. C., February 14, 1876, read and received.

In which action C. C. concurred.

101, S. C. Report of the Road Committee covering expenditures for the month of January.

In S. C., January 14, 1876, read and received.

In which action C. C. concurred.

Mr. FOX presented,

No. 78. *Resolved*, That a Committee of Five be appointed (two from Select and three from Common Council) with instructions to report an ordinance or ordinances regulating the letting of contracts by the various departments of the City Government, in accordance with law.

Which was read and laid over until next meeting.

Mr. FENNERTY,

No. 79. A Resolution directing the Mayor to enforce ordinances relative to the running of railroad trains on Liberty street, and regulating the time to be occupied by trains in crossing Penn avenue.

Referred to Railroad Committee.

Mr. FERSON presented,

No. 80. *Resolved*, That a Committee of Five (three from Common and two from Select Council) be appointed to ascertain what the drawings for the machinery, boilers and rising mains for the new water works have cost the city to date.

Which was read.

Mr. BOUCHER moved,

To amend, by striking out the words "Committee of Five, three from Common and two from Select Council, be appointed to ascertain," and inserting the words "the Mechanical Engineer be instructed to report."

Which prevailed.

And the resolution as amended was passed.

Mr. REYNOLDS presented,

81. *Resolved*, That the Road Commissioner of the First Road District be and he is hereby requested to put broken stone on the centre of Boquet avenue, Fourteenth ward.

Which was read.

Mr. AULL moved,

To refer the resolution to the Road Committee.

Which prevailed.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Thursday, February 17, 1876.

No. 7.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS PRESIDENT.
E. S. MORROW CLERK.

Pittsburgh, February 17, 1876.

Council met pursuant to adjournment.

In the absence of the President, Mr. AIKEN was called to the Chair.

Present—Messrs. Ahl, Aiken, Atkinson, Brown (R. B.), Carr, Dannels, Darlington (B.), Duff, Epping, Evans, Felker, Fox (George), Fox (Gregor), Froehlich, Gelger, Herron, Holliday, Hunter, Kerr, Lappan, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neil, Powers, Reiman, Rodgers, Rolfe, Sawyer, Shipton, Sorg, Taylor, Weldon.

Absent—Messrs. Barckley, Bates, Brown (S. S.), Bruce, Buckley, Darlington (H.), Deuniston, Dietrich, Doyle, Foster, Glass, Goldthorpe, Hayden, Jeremy, Kennedy, Kernan, Lagerman, Miller, Musgrave, McCombs, McConnell, Nusser, Perry, Ray, Schild, Schwarm, Singler, Vierheller, Waring, Welsh, Gross.

Mr. SHIRTON, from the Finance Committee, presented, with an affirmative recommendation,

[4] S. C. Bill No. 4, entitled, 'An Ordinance levying taxes, assessing water rents and making appropriations for the year 1876.'

SECTION I. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby enacted by authority of the same, That for the purpose of providing sufficient revenue to meet the ordinary expenses of the city, to pay the interest on outstanding bonds, and to discharge all other liabilities now due, or which may become payable during said year, 1876, taxes shall be and are hereby levied and assessed upon all property and other objects of taxation, as follows:

1. *City Tax*.—Upon all property taxable for State or county purposes, four mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

2. *Fire Tax*.—Upon all property taxable for State or county purposes, one and one-tenth mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

3. *Water Works Interest Tax*.—Upon all prop-

erty taxable for State or county purposes, one and two-third mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

4. *Sinking Fund Tax*.—Upon all property taxable for State or county purposes, one mill upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

5. *Old City Special Tax*.—Upon all property taxable for State or county purposes within the limits of the City of Pittsburgh, as it existed prior to the consolidation, under the Act of April, 1867, three fourths of one mill upon each dollar of valuation, as a special tax for the separate indebtedness of said district.

6. *Lawrenceville Special Tax*.—Upon all property taxable for State or county purposes within the limits of the former Borough of Lawrenceville, two-thirds of one mill upon each dollar of valuation, as a special tax for the separate indebtedness of said district.

7. *South Side Special Tax*.—Upon all property taxable for State or county purposes within the limits of the former Borough of Ormsby, one mill; East Birmingham, two and one-half mills; St. Clair, one mill; Allentown, one-third of one mill; Mt. Washington, one mill; Temperanceville, three mills, and four mills to pay annual installments on bonds issued since consolidation, for erasing and paving Main street in said borough; Birmingham, one mill, to redeem bonds and pay interest on same, issued since consolidation, for grading and paving, under old borough laws.

8. Upon all goods, wares and merchandise, and upon all articles of trade and commerce sold in said city in any manner, not herein otherwise provided for, one and one-half mills upon each dollar of sales.

9. Upon all sales of goods, wares and merchandise and articles of trade or commerce sold by commission merchants in said city, one and one-half mills upon each dollar of said sales.

10. Upon the actual yearly sales of each and every person or firm engaged in the trade, business or occupation of retailing, for his, her, or their benefit, vinous, fermented, or distilled liquors, ten mills on each dollar of said sales.

11. Upon the actual yearly sales of each and every person or firm engaged in the business or occupation of an auctioneer, two mills upon each dollar of said sales.

12. Upon the gross commission or brokerage of all merchandise brokers, forwarding and commission merchants, not including commissions on sales, fifteen mills on each dollar of said commissions.

13. Upon the average line of discounts of brokers, banks and banking institutions, one mill on each dollar.

14. Upon the gross receipts of insurance companies, insurance agencies, express companies and telegraph companies, three mills upon each dollar of said receipts.

15. Upon the gross receipts of persons engaged in the business of keeping billiard tables, ten-pin alleys or bagatelle tables for public use, fifteen mills upon each dollar of said receipts.

SECTION 2.—And at the above rates the City Assessor shall assess said taxes.

SECTION 3.—And at the following rates the Water Assessor shall assess water rents:

First.—The schedule of water rents for the year 1876, shall be increased ten per centum over assessment of 1875.

SECTION 4.—That the amount necessary to pay the interest on the separate indebtedness of the old city and the Borough of Lawrenceville, and South Side boroughs, shall be taken from the receipts from the special taxes of the districts aforesaid, and placed in Appropriation No. 1, on which warrants shall be drawn for all interest accruing or accrued on the debts of said district, respectively.

SECTION 5.—That the balance of said receipts from said special taxes (after payment of interest) shall be paid into a sinking fund for the district from which it is collected, and shall be used for the payment of the special debt of said district.

SECTION 6.—That the revenue of said city for the year 1876, arising from the taxes, loans and all other sources, together with any moneys in the treasury not otherwise appropriated, are hereby appropriated for the following purposes:

ESTIMATED EXPENDITURES AND RECEIPTS FOR THE YEAR 1876.

Appropriations for 1876.

1 Interest, premium and tax on city loan.....	\$ 216,440 00
2 Salaries.....	26,700 00
3 Printing.....	10,000 00
4 Fire Department.....	130,000 00
5 Police.....	195,000 00
6 Water Works.....	100,000 00
7 Streets.....	100,000 00
8 Pittsburg Gas Co.....	28,000 00
9 Diamond market.....	12,000 00
10 Monongahela wharf.....	2,000 00
11 Allegheny wharf.....	750 00
12 City scales.....	1,000 00
13 Contingent fund.....	55,000 00
14 Board of Health.....	8,000 00
15 East End Gas Co.....	23,000 00
16 City Property.....	6,000 00
18 Finance fund.....	21,000 00
19 Sinking fund.....	50,000 00
21 City Hall & Observatory time..	5,440 00
22 Road Department.....	20,000 00
23 Survey Department.....	9,000 00
25 Water extension loan interest..	328,998 00
26 Water extension loan sinking fund.....	90,000 00
28 Special sinking fund.....	7,000 00
29 Lawrenceville sinking fund.....	3,250 00
32 South Side wharf.....	1,232 00
34 Equalizations.....	18,000 00
35 South Side Gas Co.....	16,000 00
36 Fire department loan interest sinking fund.....	24,000 00
38 West Pittsburg Gas Company.....	6,000 00
39 Repaving fund.....	30,000 00
	\$1,543,750 00

ESTIMATED RECEIPTS FOR 1876.

City tax, 1870.....	4	\$ 480,000 00
Water Works interest tax.....	3/4	200,000 00
Fire tax, 1876.....	1-10	132,000 00
Sinking fund tax, 1876.....		120,000 00
Old city special tax, 1876.....	3/4	7,000 00
Lawrenceville special tax, 1876.....	2 1/2	3,250 00
Business tax.....	1 1/2	165,000 00
Water rents, 1876.....		288,000 00
Monongahela wharf.....		9,000 00
Allegheny wharf.....		2,000 00
South Side wharf.....		3,000 00
Mayor's office.....		27,000 00
Diamond markets.....		43,000 00
Fifth avenue market.....		2,500 00
South Side market.....		5,000 00
City gauger.....		2,000 00
Vehicle licenses.....		30,000 00
Street railroads.....		3,500 00
Building inspector.....		2,000 00
Interest on bank balances.....		5,000 00
Streets.....		10,000 00
City scales.....		4,500 00
		\$1,543,750 00

SOUTH SIDE SEPARATE INDEBTEDNESS.

24th Ward, Borough of Ormsby.....	\$ 2,250 99
25th and 26th Wards, Borough of East Birmingham.....	19,510 84
27th Ward, Borough of St. Clair...	2,125 68
28th and 29th Wards, Borough of Birmingham, special.....	4,300 00
31st Ward, Borough of Allentown...	501 82
32d Ward, Borough of Mt. Washington.....	2,306 96
36th Ward, Borough of Temperanceville, special for Main St.....	4,500 00
	\$39,377 54

SOUTH SIDE SEPARATE INDEBTEDNESS.

24th Ward Special Tax, 1 mill.....	\$ 2,250 99
25th and 26th Wards, Special Tax, 2 1/2 mills.....	19,510 84
27th Ward, Special Tax, 1 mill.....	2,125 68
28th and 29th Wards, Special Tax, 1 mill.....	4,300 00
31st Ward, Special Tax, 1 1/2 mill.....	501 82
32d Ward, Special Tax, 1 mill.....	2,306 96
36th Ward, Special Tax, 3 mills....	3,681 25
36th Ward, Special Tax, 4 mills....	4,500 00
	\$39,377 54

Which was read once.

Mr. SHIPTON moved,

To suspend the rule to allow the second reading of the bill.

Which motion prevailed.

And the rule being suspended,

Mr. O'NEIL moved,

That the bill be read a second time, item by item.

On which motion a division was had, and there were twenty-one ayes and fourteen noes.

So the motion prevailed.

And items one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, of Section first, were read a second time.

Section two was read a second time.

Section three was read a second time.

Section four was read a second time.

Section five was read a second time.

Items one, two and three of Sec. 6, were read a second time.

Mr. DUFF moved,

To amend Item four by substituting \$115,000 for \$130,000.

Upon which motion a division was had,

and there were fourteen ayes and twenty-one noes.

So the motion was negatived.

And Item four was read a second time.

Items five and six were read a second time.

Mr. HOLLIDAY moved.

To amend Item seven by striking out \$100,000 and inserting \$90,000.

Which did not prevail.

And Item seven was read a second time.

Items eight, nine, ten, eleven, twelve and thirteen were read a second time.

Mr. GREGOR FOX moved.

To amend Item fourteen by substituting \$5,000 in place of \$8,000.

Mr. KERR moved.

To amend the amendment by making the Item \$14,000.

Which did not prevail.

And the motion to amend was negatived.

Mr. SHIPTON moved.

To amend by making the Item \$12,000.

Which did not prevail.

And Item fourteen was read a second time.

Item fifteen was read a second time.

Mr. MCCANDLESS moved.

To reconsider action on the motion for reading the bill the second time, item by item.

Upon which motion a division was had, and there were seventeen ayes and sixteen noes.

So the motion prevailed.

And the question recurring on the motion to read the second time, item by item,

Mr. MCCANDLESS moved.

To amend by reading the bill a second time.

Upon which motion a division was had, and there were eighteen ayes and fourteen noes.

So the motion prevailed.

And the bill was read a second time.

Mr. SHIPTON moved.

To suspend the rule for the third reading and final passage of the bill.

Which motion prevailed.

And the rule being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Alken, Atkinson, Brown (R. B.), Daniels, Darlington (R.), Epping, Evans, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Holliday, Hunter, Lappan, Littell, Meyer, Moore, Murray, McCandless, McClurg, McCimpsey, McKinley, Negley, Reiman, Rodgers, Rolfe, Shipton, Taylor, Weldon—30.

Noes—Messrs. Ahl, Duff, Kerr, O'Neil, Powers, Sawyer, Sorg.

Before the announcement of the result,

Mr. AHL asked and obtained leave to change his vote from "No" to "Aye."

Mr. LITTELL asked and obtained leave to change his vote from "Aye" to "No."

And the ayes were thirty and the noes were seven.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. LITTELL moved.

To reconsider action on the motion for the final passage of the bill.

Which motion prevailed.

And the question recurring on the motion for the final passage of the bill,

Mr. LITTELL, by leave, moved.

Ordered, That when Council adjourn, it adjourn until the next day of regular meeting.

Mr. SHIPTON moved to amend.

By substituting "until next Monday."

Which motion prevailed, and the motion was so amended.

And as amended was decided in the affirmative.

Mr. DANNELS moved.

To adjourn.

Which motion prevailed.

And Council adjourned.

Attest E. D. MORTON
Clerk

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, February 21, 1876.

No. 8.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

February 21, 1876.

Council met.

Present—Messrs. Ahl, Atkinson, Barekley, Brown (R. B.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Dietrich, Doyle, Duff, Evans, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kerr, Lappan, Littell, Meyer, Miller, Moore, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McKinley, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

Absent—Messrs. Aiken, Bates, Brown (S. S.), Darlington (H.), Denniston, Epping, Felker, Foster, Herron, Kennedy, Kernan, Lagerman, McGimpsey, Negley, Nusser, O'Neil, Perry, Schild, Waring.

On motion of Mr. SHIPTON, the reading of the minutes was postponed.

Mr. SHIPTON, by leave, presented,

[104] A certificate from the Prothonotary of the Court of Common Pleas certifying to the election of Eugene M. O'Neil as a member of Select Council from the Third ward for the unexpired term of G. L. Braun, resigned.

Which was read and approved.

And Mr. O'Neil being present, took the oath of office which was administered to him by the President.

And Council proceeded to the consideration of Select Council Bill No. 4, entitled "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1876."

And the question recurring on the final passage of the bill, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barekley, Brown (R. B.), Bruce, Carr, Dannels, Darlington (B.), Dietrich, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Holliday, Hunter, Kerr, Lappan, Littell, Meyer, Miller, Moore, Murray, Musgrave, McCandless, MacConnell, McClurg, McKinley, O'Neil (E. M.), Powers, Ray, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Singlerly, Taylor, Weldon, Welsh, Gross—46.

Noes—Messrs. Duff, Evans, Sawyer, Sorg—4.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. HOLLIDAY, by leave, presented,

[105] A remonstrance against the location and opening of Meyer avenue, Thirty-second ward.

Which was referred to the Street Committee.

Mr. HOLLIDAY moved,

That Council proceed to the consideration of the regular order of business.

Which motion prevailed.

The PRESIDENT presented,

The certificates from the Prothonotary of the Court of Common Pleas, certifying to the election of

[106] W. J. Moore as a member of Select Council from the Eleventh ward for the unexpired term of A. G. McCandless, deceased

[107] C. P. Duff as a member of Select Council from the Thirteenth ward for the unexpired term of H. Metzgar, resigned.

Which were read and approved.

And Messrs. C. P. Duff and Moore being present, took the oath of office which was administered to them by the President.

Mr. GREGOR Fox presented the following:

[108] WHEREAS, by an Act of Assembly, the City of Pittsburgh is compelled to support a Commission, known as the Board of Health, and

WHEREAS, This Board of Health cost the city \$18,000 last year, and is ready and willing to spend \$8,000 or as much more as they can get this year, and

WHEREAS, The benefits derived by the people by the existence of the Board of Health are not forcibly apparent, and

WHEREAS, A committee of Councils by the aid of Police surveillance could enforce the sanitary laws and promote the sanitary condition of the city more effectively and at less expense, now, therefore be it

Resolved, That the City Attorney be and he is hereby instructed to prepare an Act of Assembly repealing the act providing for said Board of Health, and forward the same to Harrisburg without delay, and do such other things as may be necessary to secure the repeal of said act creating a Board of Health;

Resolved, That our representatives be requested to use all efforts necessary to secure the passage of said act to repeal.

Resolved, That a copy of these resolutions be forwarded with the act.

Which was read.

Mr. GREGOR Fox moved,

That the rule be suspended to allow the consideration of the preamble and resolutions.

Which motion prevailed.

And the rule having been suspended,

Mr. HUNTER moved,

To postpone action.

Which motion did not prevail.

Mr. C. P. DUFF moved,
To amend, by adding to the first resolution the words "Pest House" after the words "Board of Health."

Upon which motion a division was had, and there were five ayes and twenty noes.

So the motion was negatived.

Mr. POWERS moved,

To amend, by substituting the following for the first resolution:

"That the City Attorney be instructed to prepare an Act of Assembly whereby the act creating the Board of Health, shall be so far repealed as to place the said board and its operations within the control of the City Councils, and forward the same to Harrisburg."

Upon which motion a division was had, and there were twenty-two ayes and thirteen noes.

So the motion prevailed.

And the resolution was so amended.

Mr. GREGOR Fox moved,

That the preambles and resolutions as amended be passed.

Upon which motion the ayes and noes were demanded by Messrs. Gregor Fox and Buckley, and the demand being sustained, were ordered and were:

Ayes—Messrs. Ahl, Atkinson, Brown (R.B.), Bruce, Buckley, Carr, Dannels, Doyle, Duff (J. K. P.), Duff (C. P.), Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Goldthorp, Kerr, Lappan, Meyer, Miller, Moore, Murray, Musgrave, McCandless, McCombs, McClurg, McKinley, O'Neil (E. M.), Powers, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Singler, Sorg, Taylor, Vierheller, Weldon, Welsh—41.

Noes—Messrs. Evans, Holliday, Hunter, Jeremy, Littell, MacConnell, Ray—7.

So the motion prevailed, and the preambles and resolutions were passed.

Mr. SCHWARM presented the following:

[109] *Resolved*, That the City Engineer

be and is hereby instructed to establish the grade of Third street, Thirty-first ward.

Which was referred to the Street Committee.

The following

BUSINESS FROM COMMON COUNCIL

was taken up:

C. C. No. 64. Resolution notifying the Pennsylvania Railroad Company to proceed at once with the construction of the Thirty-third street bridge.

In C. C. read and passed.

In which action Select Council concurred.

C. C. Bill No. 10, entitled "An Ordinance locating Harrison street, between Fiftieth and Fifty-third streets.

Which was read once.

And on motion of Mr. Sawyer, action was postponed until next meeting.

C. C. No. 17, entitled "An Ordinance vacating Collins avenue, from Stanton avenue to Graff street."

Which was read once.

And on motion of Mr. MacConnell, further action was postponed.

Reports from the Board of Viewers of Street Improvements, on the damages caused by the

[No. 7 C. C.] Opening of St. Clair street, from Stanton avenue to McCully street.

[No. 8 C. C.] Opening of Virginia avenue, from Oneida street to Shaler's line.

[No. 9 C. C.] Grading of Stanton avenue, from Butler street to Hiland avenue.

Which in C. C. were severally read and approved.

In which action Select Council concurred.

Mr. MACCONNELL, by leave, presented.

[110] An Act supplementary to an act incorporating the City of Pittsburgh.

Which was referred to the Ordinance Committee.

And on motion, Council adjourned.

Attest

E. D. MORROW

CLK

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, February 28, 1876.

No. 9.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

February 28, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barkley, Brown (R. B.), Bruce, Dannels, Darlington (B.), Darlington (H.), Denniston, Doyle, Duff (C. P.), Duff (J. K. P.), Epping, Foster, Fox (George), Geiger, Glass, Hayden, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Musgrave, McCandless, MacConnell, McClurg, McKinley, Nusser, O'Neil (Eugene M.), O'Neil, (John), Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Singerly, Sorg, Weldon, Welsh, Gross.

Absent—Messrs. Bates, Brown (S. S.), Buckley, Carr, Dietrich, Evans, Felker, Fox (Gregor), Froehlich, Goldthorp, Herron, Kernan, Lappan, Murray, McCombs, McGimpsey, Negley, Perry, Ray, Rolfe, Taylor, Vierheller, Waring.

The PRESIDENT presented

[111] A copy of House Bill, No. 142, entitled, "An Act to define and suppress vagrancy."

Which was read and referred to the Committee on Legislation.

MR. SCHILD,

[112] An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company.

Referred to Street Committee.

MR. KENNEDY,

[113] A petition for the grading of Bluff Street, from Marion to Shingis street's.

Which was referred to the Street Committee.

MR. C. P. DUFF, the following,

[114] *Resolved*, By Select and Common Councils, that the City Property Committee be and are hereby authorized to rent the room in Municipal Hall, (formerly used for police drills), to Company B, 19th Regiment N. G. P.

Which was read and referred to the Committee on City Property.

MR. GLASS,

[115] Petition of Michael Boyer for ex-emption of taxes.

Referred to the Committee on Appeals from City Assessments.

MR. EPPING,

[116] Petition for the construction of a sidewalk on Thirty-eighth street, Sixteenth ward.

Referred to Street Committee.

MR. H. DARLINGTON,

[117] Petition for the grading and paving of Exchange alley, between Fourth and Fifth streets.

Referred to Street Committee.

MR. GEORGE FOX,

[118] Petition for the erection of public gas lamps on Forty-third street, between Butler and Willow streets, and one corner of Willow street and Bates alley.

Referred to Committee on Gas Lighting.

MR. AIKEN,

[119] Petition from T. J. Craig, Aaron Floyd and R. A. Cunningham, asking that warrants be issued in their favor in payment of their services as viewers appointed by Court in the case of J. M. Faas against the City.

Which was referred to the Finance Committee.

Also,

[120] Petition of T. J. Craig, Samuel Chadwick and Alexander Murdock, asking that warrants be issued in their favor in payment of their services as viewers appointed by Court to re-assess cost of construction of Thirty-third Street Sewer.

Which was referred to Finance Committee.

Also,

[121] Petition of Henry Rhea for refunding of overpaid taxes.

Which was referred to the Finance Committee.

MR. R. B. BROWN,

[122] Memorial of citizens of the 25th Ward, complaining of the manner in which the P. V. & C. R. Co. drain the water between Twenty-fourth and Twenty-fifth streets, and asking Councils to adopt some measure to remedy the nuisance.

Referred to Street Committee.

Also, the following,

[123] *Resolved*, That the Water Committee be directed to have a fire plug placed on the corner of Beatty street and Penn avenue.

Which was referred to the Water Committee.

MR. J. K. P. DUFF,

[124] Petition of King & Park for payment of balance due on contract for building boardwalks on North and Brownsville avenues.

Which was referred to Committee on Claims and Accounts.

MR. MUSGRAVE,

[125] Report from the Market Committee announcing the election of John Wrigley, A. J. Moon and Samuel Glass as Market Constables.

Which was read and approved.

MR. KERR, from the Ordinance Committee, S. C. Bill No. 85, entitled an Ordinance

nance relating to the sale of merchandise from boats, cars, wharves, landings, railroad sidings and depots in the city of Pittsburgh.

Which was read.

Mr. KERR moved.

A suspension of the rule to allow the third reading and final passage of the bill.

Which motion prevailed.

Mr. AIKEN moved.

To amend Sec. 3 by the addition of the following: "said fines when collected shall be paid into the City Treasury and appropriated to the Municipal Sinking Fund," and with the amendment to recommit the bill to the Ordinance Committee.

On which motion a division was had and there were twenty-two ayes and sixteen noes. So the motion prevailed.

The following

UNFINISHED BUSINESS

was taken up

C. C. Bill No. 18, entitled An Ordinance establishing the grade of the north curb of Denny street.

S. C., February 14th, failed to pass finally for want of a legal majority.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barkley, Bruce, Dannels, Denniston, Doyle, Duff, (C. P.) Duff, (J. K. P.) Epping, Foster, Fox (George), Geiger, Glass, Hayden, Holliday, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Miller, Musgrave, Moore, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neill, (Eugene M.) O'Neill (Jno.) Sawyer, Schild, Schwarm, Shipton, Sorg, Weldon, Welsh, Gross—41.

Noes—None.

And a majority of the votes of S. C. being in the affirmative, the bill passed finally.

Mr. HOLLIDAY, by leave, called up.

S. C. Bill No. 25, entitled An Ordinance authorizing the construction of a boardwalk on Grand View avenue, from Bertha street to Sherman street.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barkley, Brown, (R. B.) Bruce, Dannels, Denniston, Doyle, Duff, (C. P.) Duff, (J. K. P.) Epping, Foster, Fox (George), Geiger, Glass, Hayden, Holliday, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Miller, Musgrave, MacConnell, McClurg, McKinley, Nusser, Reiman, Rodgers, Schild, Schwarm, Sorg, Weldon, Welsh, Gross—38.

Noes—Messrs. O'Neill, (Eugene M.) Sawyer, Shipton—3.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 13, entitled An Ordinance locating Center street from Pearl to Winebiddle streets.

S. C., Feb. 14, amended.

Mr. SHIPTON moved.

To reconsider the motion to amend.

Which motion prevailed, and the question recurring on the motion to amend.

Mr. SHIPTON, by leave,

Withdrew the motion to amend.

And the rule being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Bruce, Dannels, Doyle, Duff, (C. P.) Duff, (J. K. P.) Epping, Foster, Fox (George), Geiger, Glass, Hayden, Holliday, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Miller, Musgrave, MacConnell, McClurg, McKinley, Nusser, O'Neill, (Eugene M.) Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Weldon, Welsh, Gross—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 10, entitled An Ordinance locating Harrison street between Fiftieth and Fifty third streets.

S. C., Feb. 21, read once.

Was read a second time.

Mr. SAWYER moved.

To amend, substituting the words Fifty-second for Fifty-third street.

Mr. LITTELL moved.

To refer to the Survey Committee with the proposed amendment.

Which motion prevailed.

C. C. Bill No. 15, entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Liberty avenue from Thirty-third street to Center avenue."

Which was read.

Mr. GROSS (MR. AIKEN in the chair) moved, To postpone further action until the commissioners make their final report.

Which motion prevailed.

C. C. Bill No. 32, entitled An Ordinance establishing as a public wharf that portion of the river front of the south side of the Monongahela river within the corporate limits of the city lying between First and Sixth streets and extending from low water line to the south line of Water street and fixing the rates of wharfage for the use thereof.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barkley, Brown, (R. B.) Bruce, Doyle, Duff, (C. P.) Epping, Fox, (Geo.) Geiger, Hayden, Holliday, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Miller, Musgrave, McCandless, MacConnell, McClurg, McKinley, Nusser, O'Neill, (Eugene M.) O'Neill, (Jno.) Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Weldon, Welsh, Gross—39.

Noes—Messrs. Foster, Glass—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

The PRESIDENT announced the following appointments on committees:

Mr. E. M. O'Neill on City Property and Markets.

Mr. C. P. Duff on Roads and Streets. On Committee on Legislation—

Messrs. Aiken, E. M. O'Neill and Bruce.

And on motion Council adjourned.

Attest

E. S. MORRISON

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

February 28, 1876.

Council met.

Present—Messrs. Atcheson, Aull, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Foley, Hahn, Hagan, Helmold, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Wainwright, Negley.

Absent—Messrs. Bell, Fritz, Hogle, Mears, Laughran, Morrison, Torrence.

On motion of Mr. NEEB,

Reading of the minutes was dispensed with.

Mr. NEEB presented,

[82] Resolution directing the Water Committee to place fire plugs on Second avenue, between Birmingham bridge and Soho.

Referred to Water Committee.

Mr. KERR,

[83] Petition for the establishment of the grade of Miller street, from Reed to Colwell streets.

Referred to Street Committee.

Mr. REYNOLDS,

[84] Petition of Wm. Savage for exoneraton from payment of taxes for the year 1875.

Referred to Finance Committee.

Also,

[85] Petition of Mrs. Michael McMahon for exoneraton from payment of taxes for the year 1875.

Referred to Finance Committee.

Mr. ROBESON,

[86] Petition for water main on Harrison street, between Forty-eighth and Fifth streets.

Referred to Water Committee.

Mr. WAINWRIGHT,

[87] Petition for water mains on Charlotte street, between Thirty-fourth and Thirty-fifth streets.

Referred to Water Committee.

Mr. MCCAFFERTY,

[88] Petition for a boardwalk on Morningside avenue, from the Bridge at McKellog's and McMahon's Oil works on Butler street, to connect with boardwalk on said avenue.

Referred to Street Committee.

Mr. AULL,

[89] Petition for Public Gas Lamp on Meadow street, near Larimer avenue.

Referred to Gas Committee.

Mr. HAGAN,

[90] Petition for public lamps on Jane street.

Referred to Gas Committee.

Mr. RAHAUSER,

[91] Petition of Chas. Melling for privilege to erect a frame building on Carson street, corner Twenty-sixth street.

Referred to Committee on Wooden Buildings.

Mr. HAHN,

[92] Petition of Fred. Gedeckoe for privilege to erect a frame addition on Carson street.

Referred to Committee on Wooden Buildings.

Mr. NISBET,

[93] Petition for fire plugs on Second avenue, from Birmingham Bridge to Soho.

Referred to Water Committee.

The CHAIR presented,

[94] *To the Common Council of the City of Pittsburgh;*

GENTLEMEN:—I hereby respectfully tender my resignation as a member of your honorable body from the Twenty-second ward, hoping this may meet with your approval.

I remain respectfully, Yours,

D. B. MORRISON.

Read, received and accepted.

Mr. AULL presented,

[95] Report of Viewers of Street Improvements, returning with an affirmative recommendation C. C. Bill No. 70, entitled "An ordinance authorizing the grading, paving and curbing of Forty-seventh street, from A. V. Railroad to the Allegheny river."

Read and received.

And Council proceeded to the consideration of the bill.

And the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Atcheson, Aull, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Foley, Hahn, Hagan, Helmold, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Robeson, Thompson, Voskamp, Wainwright, Negley—31.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

[96] A communication from the Board of Viewers, returning without change C. C. No. 49, "Report of Viewers of Street Improvements on the benefits and damages caused by the grading of Carson street, from Monongahela bridge to the City line.

Read and received.

Mr. BOUCHER moved,

That the report (No. 49 C. C.) be referred back to the Viewers.

Mr. THOMPSON moved,

To amend by approving the report.

Which did not prevail.

And the motion to refer back to Viewers prevailed.

Mr. AULL presented the following:

No. 97. *To the Select and Common Councils of the City of Pittsburgh;*

Your Committee on City Printing would respectfully announce the award of the contract for Assessor's books and blanks, and committee books to W. S. Walker.

The bids were as follows:

	Ass's books and blanks.	Comm'e books.
W. S. Walker.....	\$319 17	\$36 00
Dickson & McKalip.....	—	45 50
Stevenson & Foster.....	416 45	60 00
Herald Printing Co.....	336 00	68 00
Best & Scott.....	—	46 00
Nevin, Gribbin & Co.....	—	43 65

Which was read, received and approved.

Mr. KERR presented the following:

No. 98. *To the Select and Common Councils of the City of Pittsburgh;*

GENTLEMEN:—Your Committee on Railroads would respectfully report that they have had under consideration the following papers:

S. C. No. 79. Draft of an Act of Assembly relative to railroad fares and accommodation trains," the approval of which they recommend.

C. C. No. 79. Resolution requesting the enforcement of the ordinance regulating the running of railroad trains, the passage of which is recommended.

Read, received and filed.

Also, from the same Committee affirmatively recommended.

No. 79 S. C., entitled "An Act relative to the running of certain trains, and regulating the fares thereon."

Which was read.

Mr. Fox moved.

To refer the bill to the Committee on Legislation.

Which prevailed.

Also, from the same Committee, affirmatively.

No. 79 C. C. *Resolved*, That the Mayor be and he is hereby instructed to enforce existing ordinances relative to the time of running trains down Liberty street, below Wayne, now Tenth street. Also, an ordinance regulating the time to be occupied by trains on the Pittsburgh, Fort Wayne and Chicago railroad crossing, Penn avenue.

Which was read and passed.

Mr. Fox, by leave, presented.

[99] Petition for the erection of three public gas lamps on the Easterly side of Thirty-eighth street, between Butler street and Penn avenue.

Referred to Committee on Gas Lighting.

Mr. FOLEY, by leave, presented.

[100] A Resolution directing Street Commissioners not to employ foremen with gangs of less than five men.

Referred to Street Committee.

Mr. THOMPSON, by leave,

[101] An Ordinance to authorize the re-paving of Fifth avenue, from Liberty to Smithfield street.

Referred to Street Committee.

Also,

[102] An Ordinance to authorize the repaving of Wood street, from Water street to Liberty street.

Referred to Street Committee.

BUSINESS FROM SELECT COUNCIL.

S. C. No. 4. An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1876.

In S. C., February 21, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a third time.

Mr. FOLEY moved.

To amend by striking out item No. 14, appropriation for the Board of Health.

Which did not prevail.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Acheson, Aull, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kettnerberg, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahauser, Reynolds, Rott, Robeson, Thompson, Voskamp, Wainwright, Negley—30.

Noes—None.

And a legal majority of the votes of C. C. being in the affirmative, the bill passed finally.

No. 108 S. C. Resolution instructing the City Attorney to prepare an Act placing the Board of Health under the control of Councils.

In S. C., February 21, 1876, passed finally.

Which was read.

Mr. NEGLEY (Mr. Aull in the chair) moved.

That action be postponed until the next meeting.

Which did not prevail.

Mr. NISBET moved.

To concur in the action of S. C.

Mr. Fox moved.

To amend by referring the matter to the Committee on Legislation.

On which a division was had, and the motion did not prevail by a vote of 6 for to 24 against.

And on the motion to concur in the action of Select Council, Mr. Neeb called for the ayes and noes, and the call being sustained, was ordered, and were:

Ayes—Messrs. Acheson, Boucher, Clark, Coll, Conway, Dauler, Flinn, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kirchner, Lemer, Moore, McCafferty, Nantker, Nisbet, Powers, Rahauser, Reynolds, Rott, Robeson, Wainwright—27.

Noes—Messrs. Aull, Dickson, Fox, Neeb, Roth, Thompson, Voskamp, Negley—8.

So the motion to concur in the action of S. C. prevailed.

No. 48 S. C. entitled An Ordinance changing the name of Nottley street to Delmont street.

In S. C. February 14th, 1876, passed finally.

Which was read.

And the rule was suspended, and the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Acheson, Aull, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kirchner, Lemer, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Wainwright, Negley—35.

Noes—None.

And a legal majority of the votes of C. C. being in the affirmative, the bill passed finally.

S. C. No. 98. Report of the Market Committee for the month of January, 1876.

In S. C. February 14th, 1876, read and accepted.

In which action C. C. concurred.

S. C. No. 76. Resolutions passed at a citizens meeting in the 15th Ward relative to the storage of powder in the Allegheny Arsenal.

In S. C. February 14th, 1876, referred to the members from the Fifteenth and Seventeenth wards.

In which action C. C. concurred.

S. C. No. 77. Resolution for the appointment of a Committee on Storage of powder in Allegheny Arsenal.

In S. C. February 14th, referred to members from the 15th and 17th Wards.

In which action C. C. concurred.

Mr. THOMPSON called up

C. C. No. 39. Entitled, An Ordinance providing for the letting by contract of the cleaning of the streets, lanes and alleys in the First and Second Street Districts.

Which in C. C. February 14th, failed to pass for want of a legal majority.

Which was read.

Mr. Acheson moved.

To lay the bill on the table.

Which did not prevail.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kirchner, Lemer, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser,

Roth, Robeson, Thompson, Voskamp, Wainwright, Negley—31.
Noes—Messrs. Atcheson, Kerr, Reynolds, Rott—4.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Mr. THOMPSON presented,

[103.] A Resolution directing the City Attorney to satisfy the liens against the property of James Mawhinney for the grading of Shingiss street.

Referred to Street Committee.

Also,

[104.] Resolved, that the Mayor be and he is hereby requested to issue his proclamation for an election of member of Common Council from the Twenty-second ward, vice D. B. Morrison resigned.

Which was read and passed finally.

Mr. FOLEY called up,

No. 65 S. C. Resolution relative to the improvement of the Ohio River.

In S. C. Feb 1, passed finally.

In C. C. Feby. 14, read and action postponed.

Which was read.

And on motion of Mr. Foley the resolution was passed.

Mr. RAHAUSER moved,

To reconsider the action on S. C. No. 79, entitled "An Act relative to railroad trains and fares.

Which this day was referred to the Committee on Legislation.

Which motion prevailed.

Mr. BOUCHER moved,

To indefinitely postpone action.

Which motion prevailed.

Mr. FERGSON moved,

To reconsider the action on C. C. No. 47 entitled "An Ordinance re-locating Murray avenue from Wilkins avenue to Four Mile Run Road."

Which in C. C. Feby. 14, 1876, failed to pass.

Which motion prevailed.

Mr. BOUCHER moved,

That a Special Committee of five be appointed to examine the matter.

Which did not prevail.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Messrs. Atcheson, Boucher, Clark, Coil, Conway, Dauler, Flinn, Fennerty, Fergson, Foley, Hahn, Hagan, Helms, Kirchner, Lemer, Moore, McCafferty, Nantker, Nisbet, Rahauser, Reynolds, Roth, Robeson, Thompson, Wainwright—25.

Noes—Messrs. Aull, Dickson, Fox, Hughes, Kerr—5.

And a majority of the votes being in the affirmative, the bill passed finally.

The chair appointed on behalf of C. C. Messrs. Hughes, Thompson, Aull, Neeb and Fox, to be Committee on Legislation.

Also,

Messrs. Mears and Helms to the Committee on Appeals.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, March 13, 1876.

No. 10.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS,.....PRESIDENT.
E. S. MORROW,.....CLERK.

Pittsburgh, March 13, 1876.

Council met.

Present — Messrs. Ahl, Aiken, Barclay, Bates, Brown (R. B.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Duff (J. K. P.), Epping, Evans, Felker, Fox (George), Fox (Gregor), Froeblich, Geiger, Glass, Goldthorpe, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernau, Kerr, Lappan, Littell, Meyer, Miller, Moore, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neil (E. M.), O'Neil (Jno.), Perry, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singler, Sorg, Taylor, Vierheller, Weidon, Welsh, Goss.

Absent — Messrs. Atkinson, Brown (S. S.), Duff (C. F.), Foster, Lagerman, Nusser, Waring. The minutes of the previous meeting were read and approved.

The President presented.

[26] The following message from the Mayor, returning to Councils S. C. Bill No. 4, entitled "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1876:

PITTSBURGH, March 13, 1876.

To the President and members of the Select Council of the City of Pittsburgh:

GENTLEMEN: I return to you the ordinance "Levying taxes, assessing water rents and making appropriations for the year 1876" without my approval. My objections will be found in the context of what follows: The following note from the clerk of the County Commissioners will show that the county valuation within the city for taxable purposes for the year 1876 is \$166,500,000.

COMMISSIONERS' OFFICE,
ALLEGHENY COUNTY,
PITTSBURGH, March 10, 1876.

To whom it may concern, Greeting:

I do hereby certify that the levy of taxes to meet the current expenses of the county of Allegheny for the year 1876 has been made on the basis of valuation for the year 1875, and that the said basis, after making due allowance for abatements, and the withdrawal of the Thirty-seventh ward, is estimated at about \$166,500,000 within the corporate limits of

the city of Pittsburgh and upon the said amount the tax is levied.

GEORGE ALEXANDER,
For County Commissioners.

From the above amount of \$166,500,000 must be deducted the sum of \$19,664,000 for one-third rural tax, which will leave a taxable valuation in round numbers of \$146,836,000. On this basis a comparison of the face of the ordinance with approximate results will show as follows:

	Face of Estimated Ordinance.	Receipts.
City tax, 4 mills.....	\$480,000	\$ 587,344
Water Works Int. tax, 1½ mills.....	200,000	244,726
Sinking Fund tax, 1 mill.....	120,000	146,836
Fire tax, 1 1-10 mills.....	132,000	161,519
Lawrenceville Special tax, ¾ mills.....	3,250	7,203
Old City Special tax, ¾ mills	7,000	52,816
	\$942,250	\$1,200,444
Deduct 10 per cent. for lost taxes, etc.		120,044
		\$1,080,400
Deduct amount on face of ordinance,		942,250

Approximate excess of receipts over face of ordinance.....\$ 138,150

You will see from this approximate estimate that in the different millages to be levied, there will be an excess of \$138,150.00 over and above that estimated in the ordinance. The very large portion of this excess comes from a failure to comply with the law which requires that the ordinance shall *define object* "and amount of each expenditure to be made for that year." Had this been done the excess would have been considerably less. For instance, the appropriation for old city special Sinking Fund is \$7,000. The amount likely to be collected is \$47,534, while the interest to be paid is \$25,000, and the amount to be placed in the sinking fund is \$7,000, aggregating \$32,000, and being an over taxation in this one item of \$15,534. As the law limits the amount to be provided for to the necessities of the year, this taxation of a surplus of \$15,534 is illegal. And the same applies only in a less degree to the Lawrenceville special tax.

The next question to be considered is what shall be done with balance of the surplus receipts over the face of the ordinance. Since I have declared my determination to veto the ordinance it has been for the first time publicly acknowledged that there is a very large deficiency in the Treasury, much in excess of the amount supposed to be covered by the surplus of this ordinance. Whether this deficiency is \$300,000 or \$500,000 has not been

stated. One reason given for the deficiency has been that it was largely augmented by re-estimating outstanding taxes as a basis for future appropriations. This must be a mistake, as from the year 1868 to 1876, both years included, the total amount of unpaid taxes re-estimated as a basis for future appropriations was only \$40,000 of which sum only \$3,964 was unaccounted for February 1, 1875, as appears from the Controller's last printed report. We must therefore look some other place for sufficient reason for this deficiency, be what it may. It is not to be found in the sum of \$40,000.

The question still remains what can be legally done with the surplus balance? It is claimed that it will go toward the replenishing of the now confessedly large deficiency in the Treasury. Let us examine the law and see what it says.

The act of Assembly of April 6, 1850, says "That the expenditures authorized by such ordinance of appropriation in any one year shall not exceed the revenue of such year limited as above; and if such revenue should exceed the expenditures ordered such excess shall be paid over to the Sinking Fund herein authorized to be created."

Further: The ordinance passed under the authority of the Act of Assembly just quoted says: "The revenue derived from the city or corporation tax on all taxable property in the city, and all other revenues of said city subject to appropriation by Councils shall be appropriated as follows, to wit: 1st, For the payment of interest on the founded debt of the city. 2d. For the payment of salaries of city officers. 3d. For the payment of the ordinary current expenses of the city. 4th. For the extraordinary improvements, erections and purchases; and if any surplus remains the same shall be appropriated to the Sinking Fund."

Further: The act of Assembly of April 6, 1850, uses this strong and emphatic language: "And when so designated and set apart, the said object, or sources of revenue to be derived from the same, shall not be appropriated or applied to any other purpose whatever than to the Sinking Fund, nor shall the same ever be diverted at any time to any other object or purpose, until the said debt shall be fully paid and discharged."

From the various laws just cited it will be found that the surplus revenue received over and above the amount specifically appropriated must be paid into the sinking fund. If it is desired that said surplus shall go into the Treasury to make up the deficiencies now acknowledged to exist there, it must be placed in the ordinance and named for that specific purpose otherwise it must go into the Municipal fund, not to supply any deficiency there, if one exists, but independent of any deficiency there or elsewhere.

In conclusion, I refuse to attach my signature to the ordinance making appropriations for the year 1876, first because it levies a tax on the old city (special) for upwards of \$15,000, illegally; second, because it levies a tax of about \$90,000 which, as the ordinance now stands, must go into the Municipal Sinking Fund, that fund being for this year adequately supplied, independent of this sum. These are not the times to take these sums of money unnecessarily out the pockets of the taxpayers.

Very Respectfully,

WM. C. MCCARTHY,

Mayor.

Which was read and received.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the bill referred to in the message, entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1876."

And on the question, Shall the bill pass notwithstanding the objections of the Mayor, the ayes and noes were directed to be taken, and were:

Ayes—Messrs. Ahl, Aiken, Barclay, Bates, Brown (R. B.), Bruce, Carr, Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Doyle, Epping, Felker, Fox (George), Fox (Gregor), Froeblich, Geiger, Glass, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lappan, Meyer, Miller, Moore, Murray, Musgrave, McCandless, McCombs, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neil (Eugene M.), O'Neil (John), Perry, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross—60.

Noes—Messrs. Buckley, Duff (J.K.P.), Evans, Kernan—4.

So the question was decided in the affirmative, and the bill was passed notwithstanding the objections of the Mayor.

Mr. HUNTER presented.

[127] An Ordinance changing the name of First street, formerly Point street, to Fort street.

Which was referred to the Street Committee.

Also,

[128] A communication from the Board of Health announcing that a vacancy had been caused in said Board by the death of John D. Fleming, Esq.

Which was read and accepted.

Mr. MCCANDLESS,

[129] A petition for the erection of two public gas lamps on Wylie avenue.

Referred to Committee on Gas Lighting.

Also,

[130] Petition of S. R and W. J. Patterson for an abatement of the wharfage charged the Wheeling and Parkersburg wharfbat.

Which was referred to the Committee on Monongahela Wharf.

Mr. POWERS,

[131] An invitation to Councils to review a procession of the Irish and German American Societies celebrating the centennial anniversary of the evacuation of Boston by the British, March 17, 1776, and the memory of Ireland's Apostle, Saint Patrick, on the 17th inst., at 2½ o'clock, P. M.

Read and received.

Mr. BUCKLEY moved.

Ordered, That Councils accept the invitation and meet in the reception room on the 17th inst., at 2½ o'clock.

Which motion prevailed.

Mr. DANNELS,

[132] Resolved, That the Board of Viewers be requested to go upon the extension of Forbes street, from Boyd street to Fifth avenue, as fixed by ordinance, and assess the damages.

Which was referred to Street Committee.

Mr. GLASS,

[133] Petition asking that the Road Committee appoint a sub-committee to devise means to remedy the damage caused by the slipping of Fifth avenue at Soho.

Which was referred to the Road Committee.

Mr. JEREMY,

[134] Petition for the removal of the horse market from the Allegheny wharf.

Which was referred to the Allegheny Wharf Committee.

Mr. MCKINLEY,

[135] Petition for the erection of public gas lamps on Cedar street.

Which was referred to the Committee on Gas Lighting.

Mr. GEORGE FOX,

[136] Petition of Bruggeman & Co. for leave to erect a frame shed 12x20 feet, between Penn avenue and Main street.

Referred to Committee on Wooden Buildings.

The PRESIDENT,

[137] Petition for the erection of two public gas lamps on Center street, Twentieth ward.

Which was referred to the Committee on Gas Lighting.

Also,

[138] Petition for the erection of two public gas lamps on Rebecca street, between Penn and Friendship avenues.

Which was referred to the Committee on Gas Lighting.

Also,

[139] Petition for the erection of fire plugs on Rebecca street, between Penn and Friendship avenues.

Referred to Water Committee.

Mr. LITTELL,

[140] Resolved, That we, the Councils of the city of Pittsburgh, request all officers and persons under our control, to assist the Legislative Investigating Committee by furnishing facts, information and papers necessary for a thorough investigation, which can but add to the already high reputation and credit of the city of Pittsburgh.

Which was read and passed.

Mr. GREGOR FOX,

Resolved, By the City of Pittsburgh, in Select and Common Councils assembled, That the City Controller shall be and he is hereby authorized and directed to issue his certificate for a warrant in favor of C. J. Schultz for the amount assessed by the viewers to the city of Pittsburgh of the cost of constructing a bridge over Four Mile Run, on Sylvan avenue, and charge the same to Contingent Fund.

Which was read and referred to the Finance Committee.

Mr. J. K. P. DUFF,

[142] Petition for the construction of a cinder walk six feet wide and four inches deep on both sides of Atwood street, from Fifth avenue to Wilnot street, and on the North West side of Boquette street, from Wilnot street to Juno street.

Which was referred to the Road Committee.

Mr. SHIPTON,

[143] A report from the Finance Committee covering and recommending the passage of the accompanying resolutions.

Which was read and accepted.

Also, from the Finance Committee, affirmatively,

[144] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of John Winstine, of the Twenty-ninth ward, to the amount of twelve dollars (\$12.00) for overpaid business tax, and charge the same to Contingent Fund. The said amount having been paid to the credit of the Twenty-eighth ward, owing to an over assessment, the amount being assessed against him in the Twenty-eighth and Twenty-ninth wards. Which, the rule being suspended, was read three times and passed.

Also, from the same Committee, affirmatively,

[145] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Gustave Hagen, of the Fifth ward, to the amount of nine dollars and fifty cents (9.50) for the purpose of refunding overpaid tax, and charge the same to Contingent Fund.

Which, the rule being suspended, was read three times and passed.

Also, from the same Committee,

[146] An Ordinance to authorize a temporary loan for the payment of interest on bonds issued for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh.

Which was referred to Finance Committee.

Also, from the same Committee,

[147] Resolved, by the City of Pittsburgh, in Select and Common Councils assembled, That the City Controller shall be, and he is hereby directed to issue his certificate on the Mayor for a warrant in favor of the Aetna Life Insurance Company and of the Mutual Benefit Life Insurance Company for amount of tax paid by said companies to the city for the year 1874, under a misapprehension, and charge the same to Contingent Fund.

Which was read and referred to the Finance Committee.

Mr. MCCANDLESS,

[148] A report from the Water Committee of expenditures (\$8,123.76) for the month of January.

Which was read accepted.

Also,

[149] A report from the Water Committee covering an account of expenditures (\$6,455.43) for the month of February.

Which was read and accepted.

Mr. HUNTER,

[150] A report from the Committee on City Property covering a statement of expenditures (\$336.50) for the month of February, and returning with a negative recommendation the following resolutions:

S. C. No. 17, directing the erection of seats in the lobbies of Council chambers.

S. C. No. 114, directing the Committee on City Property to lease the room lately occupied as a Police drill room in Municipal Hall to Company B, Nineteenth Regiment, N. G. P.

Which was read and approved.

Mr. MUSGRAVE,

[151] A report from the Market Committee covering the account of receipts and expenditures for the month of February. Receipts, \$1,460.01; expenditures, \$635.61.

Which was read and received.

Mr. HERRON,

[152] A report from the Committee on Allegheny Wharf, covering statement of receipts (\$167.30) and expenditures (16.67) for February.

Which was read and received.

Mr. KERR, from the Ordinance Committee, affirmatively,

S. C. No. 110. An Act supplemental to an Act incorporating the City of Pittsburgh.

Which was read.

Mr. KERR moved.

To postpone action until next meeting.

Which motion prevailed.

Mr. E. M. O'NEILL,

[153] A report from the Committee on Legislation transmitting sundry copies of Acts of Assembly, and recommending Coun-

cils to take the action thereon embraced in the accompanying resolutions.

Which was read and received.

Also,

[154] *Resolved*, That our delegation in the State Legislature be and they are hereby requested to use their influence to defeat House Bill No. 142, "An Act to define and suppress vagrancy," and Senate Bill No. 49, "An Act relative to idle and disorderly persons."

Which was read and passed.

Also,

[155] *Resolved*, That our representatives in the State Legislature be requested to use every effort to secure the passage of House Bill No. 26, "An Act empowering the Councils of cities of this Commonwealth to prescribe by ordinance, the salary to be paid out of the City Treasury to the Mayor, Controller, Treasurer, etc.

Which was read and passed.

Also,

[156] WHEREAS, The Act of Assembly approved March 20, 1873, entitled "A supplement to an Act concerning streets and sewers in the city of Pittsburg," makes full provisions for the city of Pittsburg on the subject contained in House Bill No. 16, an Act providing for the appraisement and collection and payment of damages to private parties in the grading of streets, &c., therefore

Resolved, That the members of the State Legislature from this district be requested to have cities of the second class excepted from the operations thereof.

Which was read and passed.

Mr. SAWYER,

[157] WHEREAS, There appears to be no prospect of getting the act empowering Councils to negotiate a sufficient loan to proceed with the water works improvement passed by the Legislature,

Be it Resolved, That the Water Committee be instructed to cease further work on the new water works improvement, and discharge all the officers and workmen, except the watchman in charge, on said improvement.

Which was read and referred to the Water Committee.

Mr. HOLLIDAY, from the Street Committee, affirmatively as committed,

C. C. Bill No. 12, entitled "An Ordinance locating Hoffman street, from Grand avenue to Garden street.

Which motion prevailed.

Mr. McCOMBS moved,

That action on the bill be indefinitely postponed.

Which motion prevailed.

Mr. CARR,

[158] WHEREAS, The property abutting on Brownsville avenue has been totally destroyed and made worthless by the grading and paving of the same, therefore

Resolved, That the City Attorney is hereby authorized and directed to refrain from placing any lien on the property abutting on said avenue.

Which was read.

Mr. DANNELS moved,

To lay the resolution on the table.

On which motion a division was had, and there were eighteen ayes and twenty noes.

So the motion did not prevail.

Mr. CARR moved,

The passage of the resolution.

Which motion did not prevail.

Mr. McCONNELL by leave, called up,

C. C. Bill No. 45, entitled "An Ordinance fixing the grade of Madison street, from Fifth avenue to Forbes street.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barckley, Bruce, Buckley, Dannels, Doyle, Felker, Froehlich, Geiger, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kerr, Littell, Moore, Murray, Musgrave, McCandless, MacDonnell, McClurg, McKinley, Negley, O'Neil, (Eugene M.) O'Neil (Jno.), Powers, Rodgers, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh—38.

Noes—Mr. Carr—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. E. M. O'Neil, by leave, called up.

C. C. No. 107, Resolution directing the Ordinance Committee to prepare and report to Councils an ordinance providing, for the licensing of so called "Peanut stands."

In C. C. passed.

In which action S. C. concurred.

Mr. Holliday, by leave, called up,

C. C. No. 104, Resolution for holding a special election in the Twenty-second ward for a member of Common Council in the place of D. B. Morrison, resigned.

In C. C. read three times and passed,

In which action S. C. concurred.

And on motion, Council adjourned.

attest E. S. MORROW

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

March 13, 1876.

Council met.

Present—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dautler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Roth, Rott, Thompson, Torrence, Voskamp, Negley.

Absent—Messrs. Acheson, Reynolds, Robeson, Wainwright.

On motion of Mr. Conway the reading of the minutes of the previous meeting was dispensed with.

Mr. NEEB presented,

[105] Petition for re-grading and repaving of Virgin Alley from Smithfield street to Cherry alley.

Referred to Street Committee.

Also,

[106] An Ordinance amending an ordinance entitled "An Ordinance regulating the number of police officers and lamp washers of the city of Pittsburgh for the year 1874," passed March 30, 1874.

Referred to the Police Committee.

Also, the following,

[107] *Resolved*, That the Committee on Ordinances be and is hereby directed to prepare an ordinance, providing for the licensing of so called "Peanut stands," also designating on what thoroughfares such stands shall not be maintained and fixing a penalty for the violation of any provisions of such an ordinance.

Read and passed.

Mr. VOSKAMP,

[108] Petition for water pipes on Thumm street from Colwell to Reed street.

Referred to Water Ex. Committee.

Mr. FRITZ.

[109] Petition of property owners on Henry, Washington, and Filmore streets Fourteenth ward for exoneration from payment of Water taxes.

Referred to Water Ex-Committee.

Mr. HOGLE.

[110] Petition of Geo. A. Nau for refunding of overpaid tax.

Referred to Finance Committee.

Also,

[111] Petition of Geo. A. Feldung for relief from over assessment.

Referred to Committee on Appeals.

Mr. NISBET.

[112] Petition for the opening of Knox avenue from Brownsville road to City line.

Referred to Street Committee.

Also,

[113] Petition for a board walk on Knox avenue from Brownsville avenue to City line.

Referred to Street Committee.

Mr. FOLEY.

[114] Petition of E. McDermott for privilege to erect a frame house on Carson street, Thirty-fourth ward.

Referred to Committee on Wooden Buildings.

Mr. FOX.

[115] Petition for the location of Harrison street from Fiftieth to Fifty-third streets.

Referred to Survey Committee.

Mr. FENNERTY.

[116] Petition for gas lamps on Taylor street, Sixteenth ward.

Referred to Committee on Gas Lighting.

Mr. POWERS.

[117] An Ordinance granting Manrice Wallace right to erect Iron Clad buildings.

Referred to Committee on Wooden Buildings.

Mr. FLINN.

[118] Petition for change of location of Forbes street extension from Shingiss street to Diamond street.

Referred to Committee on Surveys.

Mr. THOMPSON.

[119] An Ordinance granting McCouway Torley & Co. privilege to erect an addition to an Iron Clad building.

Referred to Committee on Wooden Buildings.

Also,

[120] An Ordinance authorizing the assessment of damages and benefits caused by the grading of Lincoln avenue from Frankstown avenue to City line.

Referred to Road Committee.

Mr. AULL.

[121] Petition for gas lamps on Lang avenue, Twenty-first ward.

Referred to Gas Lighting Committee.

Mr. THOMPSON presented, from the Committee on Streets affirmatively recommended,

No. 67, S. C. entitled "An Ordinance authorizing the opening of Center street, from Pearl street to Winebiddle street."

Which was read, and the rules were suspended and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Clark, Coll, Conway, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Helms, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Roth, Rott, Thompson, Torrence, Voskamp, Negley—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended,

No. 68, S. C. entitled "An Ordinance authorizing the grading, paving and curbing of Center street from Pearl street to Winebiddle street."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Clark, Coll, Conway, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Nisbet, Powers, Rahausser, Reynolds, Roth, Thompson, Torrence, Voskamp, Negley—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee affirmatively recommended,

[122] C. C. entitled "An Ordinance authorizing the opening of Union alley from Grant street to upper line of estate of L. S. Johns, (about 105 feet South of Sherman street)."

Which was read.

And the rule was suspended, and the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Hahn, Helms, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Roth, Thompson, Torrence, Voskamp, Negley—35.

Noes—Messrs. Hagan, Roth—2.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee affirmatively recommended,

[102] C. C. entitled "An Ordinance to authorize the re-paving of Wood street from Water street to Liberty street."

Which was read, and the rule being suspended, the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helms, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Roth, Thompson, Torrence, Voskamp, Negley—36.

Noes—Mr. Foley—1.

And a legal majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee affirmatively recommended,

[101] C. C. entitled "An Ordinance to authorize the re-paving of Fifth avenue from Liberty street to Smithfield street."

Which was read.

And the rules were suspended.

Mr Fox moved,
To amend, by striking out the following words "provided however, that the street shall be paved with material other than cobble stone, agreeably to the prayer of the petitioners."

Which on a division prevailed by a vote of 28 ayes to 4 noes.

Mr. Fox moved,
To refer the bill back to the Street Committee.

Which prevailed by a vote of 18 for to 18 against.

Also, from the same Committee affirmatively.

[123] C. C. Resolved, that the City Attorney be and he is hereby authorized and directed to enter satisfaction of the liens entered of record against the properties of Geo. Kunkel, John P. Helsel and Wm. Russman on Yard's alley in the Twenty-sixth and Twenty-seventh wards, said liens being for cost of construction of boardwalk on said Yard's alley.

Which was read.

And the rule being suspended, the resolution was read a third time.

And finally passed.

Also, from the same Committee affirmative-recommended,

193 C. C. WHEREAS, in the grading of Shingiss street from Old avenue to Eagle street in the year 1870, the contractor was directed by the Street Committee to grade on said Shingiss street, above Locust, off the line of the street as located and opened by Councils on private property, which left the street in front of the property of said Mawhinney in its original condition, and unimproved, and therefore not subject to assessment for any portion of the cost of grading of said street; Therefore,

Be it Resolved, by the Select and Common Councils of the City of Pittsburgh, that the City Attorney shall be and he is hereby directed to enter satisfaction of the lien entered on record against the property of said Mawhinney for said Shingiss street grading.

Which was read.

And the rule being suspended, the resolution was read a third time and finally passed.

Also,

[124] "An Ordinance authorizing the grading of Bluff street from Shingiss street to Marion street.

Referred to Street Committee.

Also,

[125] An Ordinance authorizing the construction of a board walk on Morningside avenue, from the bridge at McKeloy and McMahon's refinery on Butler street, to present board walk on Morningside avenue.

Referred to Street Committee.

Also,

[127] An Ordinance authorizing the laying of brick sidewalks on Thirty-Eighth street, from Liberty avenue to Penn avenue.

Referred to Street Committee.

Also,

[128] An Ordinance authorizing the grading, paving and curbing of Smallman street from Thirty-sixth street to Thirty-seventh street.

Referred to Street Committee.

Also,

[129] An Ordinance authorizing the opening of Exchange alley from Seventh street to Barkers alley.

Referred to Street Committee.

Also,

[130] An Ordinance authorizing the

grading and paving of Exchange alley from Fourth street to Fifth street.

Referred to Street Committee.

Also,

[131] Report of Viewers on the damages caused by the grading of Lang avenue from Penn avenue to Penn. R. R.

Which was approved.

Also the following report,

To the Select and Common Councils of the City of Pittsburgh.

132 C. C. GENTLEMEN: — Viewers report on damages by grade on Carson street from Monongahela bridge to the City line was transmitted to your honorable bodies for approval on 21st of February last. Accompanying the report was a communication from viewers, setting forth the reason why a change was not made in said assessment. This communication and the report have been sent back to us from Common Council, without any written statement from those objecting.

The viewers would now take the liberty of saying, that the assessment has already received all the care and attention which we can give it, and as no complaints have been brought before the board asking a change, no alterations will be made by the board now acting. The report as originally made out, is returned again to your honorable bodies,

Respectfully submitted,

ROBERT VANDVORT,
JAMES CASSIDY,
M. EDWARDS,

Viewers.

Which was read, received and ordered to be filed.

Also,

49 C. C. Report of Viewers on the damage caused by the grading of Carson street from Monongahela bridge to city line.

Which was approved.

Also,

[132] Annual Report of the City Engineer.

Read, received and ordered to be filed.

Mr. NISBET moved,

To reconsider the action on Bill No. 102 C. C. entitled "An Ordinance to authorize the repaving of Wood street from Liberty street to Smithfield street."

Passed finally this day.

Which motion prevailed.

Mr. NISBET moved,

To amend, by striking out the words, "Provided, however, that the street shall be paved with material other than cobble stone, agreeably to the prayer of the petitioners."

Which prevailed.

Mr. ROTT moved,

That the bill be referred back to the Street Committee.

Which, on call of division, prevailed by a majority of the whole number of votes of Common Council.

And the bill was so referred.

Mr. AULL presented,

[133] A report from the Committee on Surveys covering a statement of their expenditures for the month of February, amounting to \$335.00.

Read, received and filed.

Also, from the same Committee, affirmative-recommended.

No. 10 C. C., entitled "An Ordinance locating Harrison street, between Fiftieth and Fifty-second streets.

Which was read.

And the rule was suspended.

Mr. KETTENBERG moved,

That the bill be referred back to the Committee on Surveys.

Which did not prevail.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Flinn, Fox, Fennerty, Person, Hahn, Hagan, Hogle, Hughes, Kerr, Kirchner, Laughlan, Mears, Moore, McCafferty, Neeb, Nisbet, Rabauser, Roth, Thompson, Torrence, Negley—28.

Noes—Messrs. Foley, Kettenberg, Nantker, Powers—4.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. Fox presented,

[134] A report from the Committee on Police covering a statement of expenditures for the month of February, amounting to \$15,710.61.

Read, received and filed.

Mr. NISBET,

[135] A report from the Committee on Claims and Accounts recommending the payment of claim of King & Parks for balance due for construction of boardwalks on North street and Brownsville avenue, and returning with a negative recommendation, the claim of J. C. Purdy for damages.

Read, received and filed.

Also, the following,

[136] *Resolved*, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of King & Parks for Thirty-four dollars and seventy-eight cents (\$34.78), being balance due on boardwalk on North and Brownsville avenues, and charge the same to appropriation No. 18, Finance Fund.

Which, the rule being suspended, was read a third time and finally passed.

Mr. FENNERTY,

[137] A report from the Committee on Appeals covering and recommending the passage of resolutions for the exoneration of certain taxes, and ordering warrants for refunding of overpaid taxes by sundry parties.

Read, received and filed.

Also, from the same Committee affirmatively,

[138] *Resolved*, That the City Treasurer be and he is hereby authorized and directed to issue exoneration of taxes as follows:

	Ward.	City.	W. W. I.	S. F.	Fire.	Special.
Melchior Bayer, 14...	\$5.08	\$1.94	\$1.45	\$1.45	—	—
Manesager's heirs 14...	2.00	.76	.57	.57	—	—
John Parkinson 14...	4.76	1.82	1.36	1.36	—	—
H. Crowley's heirs 14...	2.21	.84	.63	.63	—	—
Marg't Duyer 5...	9.56	3.64	2.73	1.73	\$2.06	—
Soho Mission, S & M. Dougherty 14...	8.40	3.20	2.40	2.40	—	—

Which, the rule being suspended, was read a third time and finally passed.

Also, from the same Committee, affirmatively,

[139] *Resolved*, That the City Controller be and he is hereby authorized to issue his certificate for warrants on the Mayor, refunding overpaid taxes, as follows: B. R. Voskohle, \$9.65; H. Evers, \$4.70; F. E. Kraemer, \$13.66; and charge Contingent Fund.

Which, the rule being suspended, was read a third time and finally passed.

BUSINESS FROM SELECT COUNCIL.

125 S. C. A report from the Committee on Markets announcing the election of Market Constables.

In S. C., February 28, read and approved.

In which action C. C. concurred.

126 S. C. The following message from the Mayor, returning to Councils S. C. Bill No. 4, entitled "An Ordinance levying taxes, assessing water rents and making appropriations for the year 1876:

PITTSBURGH, March 13, 1876.

To the President and members of the Select Council of the City of Pittsburgh:

GENTLEMEN: I return to you the ordinance "Levying taxes, assessing water rents and making appropriations for the year 1876" without my approval. My objections will be found in the context of what follows: The following note from the clerk of the County Commissioners will show that the county valuation within the city for taxable purposes for the year 1876 is \$166,500,000.

COMMISSIONERS' OFFICE,
ALLEGHENY COUNTY,
PITTSBURGH, March 10, 1876.

To whom it may concern, Greeting:

I do hereby certify that the levy of taxes to meet the current expenses of the county of Allegheny for the year 1876 has been made on the basis of valuation for the year 1875, and that the said basis, after making due allowance for abatements, and the withdrawal of the Thirty-seventh ward, is estimated at about \$166,500,000 within the corporate limits of the city of Pittsburgh and upon the said amount the tax is levied.

GEORGE ALEXANDER,
For County Commissioners.

From the above amount of \$166,500,000 must be deducted the sum of \$19,664,000 for one-third rural tax, which will leave a taxable valuation in round numbers of \$146,836,000. On this basis a comparison of the face of the ordinance with approximate results will show as follows:

	Face of Estimated Ordinance.	Receipts.
City tax, 4 mills.....	\$480,000	\$ 587,344
Water Works Int. tax, 1½ mills.....	200,000	244,726
Sinking Fund tax, 1 mill.....	120,000	146,836
Fire tax, 1 1-10 mills.....	132,000	161,519
Lawrenceville Special tax, ½ mills.....	3,250	7,203
Old City Special tax, ¾ mills.....	7,000	52,816
	\$942,250	\$1,200,444

Deduct 10 per cent. for lost taxes, etc. 120,044

\$1,080,400

Deduct amount on face of ordinance, 942,250

Approximate excess of receipts over face of ordinance..... \$ 138,150

You will see from this approximate estimate that in the different millages to be levied, there will be an excess of \$138,150.00 over and above that estimated in the ordinance. The very large portion of this excess comes from a failure to comply with the law which requires that the ordinance shall define object "and amount of each expenditure to be made for that year." Had this been done the excess would have been considerably less. For instance, the appropriation for old city special Sinking Fund is \$7,000. The amount likely to be collected is \$47,534,

while the interest to be paid is \$25,000, and the amount to be placed in the sinking fund is \$7,000, aggregating \$32,000, and being an over taxation in this one item of \$15,534. As the law limits the amount to be provided for to the necessities of the year, this taxation of a surplus of \$15,534 is illegal. And the same applies only in a less degree to the Lawrenceville special tax.

The next question to be considered is what shall be done with balance of the surplus receipts over the face of the ordinance. Since I have declared my determination to veto the ordinance it has been for the first time publicly acknowledged that there is a very large deficiency in the Treasury, much in excess of the amount supposed to be covered by the surplus of this ordinance. Whether this deficiency is \$300,000 or \$500,000 has not been stated. One reason given for the deficiency has been that it was largely augmented by re-estimating outstanding taxes as a basis for future appropriations. This must be a mistake, as from the year 1868 to 1876, both years included, the total amount of unpaid taxes re-estimated as a basis for future appropriations was only \$40,000 of which sum only \$3,064 was unaccounted for February 1, 1875, as appears from the Controller's last printed report. We must therefore look some other place for sufficient reason for this deficiency, be what it may. It is not to be found in the sum of \$40,000.

The question still remains what can be legally done with the surplus balance? It is claimed that it will go toward the replenishing of the now confessedly large deficiency in the Treasury. Let us examine the law and see what it says.

The act of Assembly of April 6, 1850, says "That the expenditures authorized by such ordinance of appropriation in any one year shall not exceed the revenue of such year limited as above; and if such revenue should exceed the expenditures ordered such excess shall be paid over to the *Sinking Fund* herein authorized to be created."

Further: The ordinance passed under the authority of the Act of Assembly just quoted says: "The revenue derived from the city or corporation tax on all taxable property in the city, and all other revenues of said city subject to appropriation by Councils shall be appropriated as follows, to wit: 1st. For the payment of interest on the founded debt of the city. 2d. For the payment of salaries of city officers. 3d. For the payment of the ordinary current expenses of the city. 4th. For the extraordinary improvements, erections and purchases; and if any surplus remains the same shall be appropriated to the *Sinking Fund*."

Further: The act of Assembly of April 6, 1850, uses this strong and emphatic language: "And when so designated and set apart, the said object, or sources of revenue to be derived from the same, shall not be appropriated or applied to any other purpose whatever than to the *Sinking Fund*, nor shall the same ever be diverted at any time to any other object or purpose, until the said debt shall be fully paid and discharged."

From the various laws just cited it will be found that the surplus revenue received over and above the amount specifically appropriated must be paid into the sinking fund. If it is desired that said surplus shall go into the Treasury to make up the deficiencies now acknowledged to exist there, it must be placed in the ordinance and named for that specific purpose otherwise it must go into the Municipal fund, not to supply any deficiency

there, if one exists, but independent of any deficiency there or elsewhere.

In conclusion, I refuse to attach my signature to the ordinance making appropriations for the year 1876, first because it levies a tax on the old city (special) for upwards of \$15,000, illegally; second, because it levies a tax of about \$90,000 which, as the ordinance now stands, must go into the Municipal Sinking Fund, that fund being for this year adequately supplied, independent of this sum. These are not the times to take these sums of money unnecessarily out the pockets of the taxpayers.

Very Respectfully,

WM. C. MCCARTHY,

Mayor.

In S. C., March 13, read and received.

Which was read.

And the action of S. C. was concurred in.

S. C. No. 4, entitled "An Ordinance levying taxes, assessing water rents, and making appropriations for the year 1876."

In S. C., March 13, 1876, passed finally, notwithstanding the disapproval of the Mayor, by a three-fifths vote.

Which was read.

Whereupon Common Council proceeded to a reconsideration of the bill No. 4, S. C.

And on the question, Shall the bill pass finally, notwithstanding the objections of the Mayor, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Feunerty, Ferson, Hahn, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Roth, Thompson, Torrence, Voskamp, Negley—35.

Noes—Messrs. Hagan, Roth—2.

Mr. Foley declined to vote.

And the required three-fifths of the votes being in the affirmative, the bill passed finally, notwithstanding the objections of the Mayor.

140 S. C. Resolved, That we, the Councils of the City of Pittsburgh, request all officers and persons under our control to assist the Legislative Investigating Committee by furnishing facts, information and papers necessary for a thorough investigation which can but add to the already high reputation and credit of the city of Pittsburgh.

In S. C., March 13, passed finally.

In which action C. C. concurred.

128 S. C. Communication from the Board of Health announcing a vacancy in said Board, vice Jno. D. Fleming, deceased.

In S. C., March 13, read and filed.

In which action C. C. concurred.

131 S. C. A communication inviting Councils to review the procession on St. Patrick's Day.

In S. C., March 13, read and received, and invitation accepted.

In which action C. C. concurred.

The CHAIR presented,

140. A communication from the Secretary of the Guardians of the Poor, announcing a vacancy in said Board, caused by the resignation of Samuel Glass.

Read, received and filed.

On motion, Councils proceeded to elect one person to serve as member of Guardians of the Poor.

Mr. Fox nominated

James Montooth.

And there being no further nominations, Council proceeded to said election, and the

result of the voting was as follows:

For James Montooth—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dixon, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Helms, Hogle, Hughes, Kerr, Kettner, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauer, Roth, Rott, Thompson, Torrence, Voskamp, Negley.

And James Montooth having received all the votes, was declared duly elected a member of the Board of Guardians of the Poor for the unexpired term of Samuel Glass, resigned.

Mr. Ferson presented,

141 C. C. WHEREAS, Messrs. Mackintosh, Hemphill & Co., founders and machinists of this city, have submitted for the consideration of the Water Committee of Councils, a proposition in which they propose to furnish the machinery and appurtenances for the new water works; and

WHEREAS, said proposition contains facts and figures as to the cost of completion of said works; and

WHEREAS, said proposition contemplates finishing Brilliant Hill reservoir, and in all particulars will furnish the city with a more complete and economical water works than the present proposed plan, and one which can be operated, when completed, with one half cost to city; and

WHEREAS, said proposition bears the endorsement of a number of firms of the city of the highest character and standing; therefore

Resolved, That the members of the Water Committee be and are hereby instructed to give said proposition a fair and impartial consideration, such as its character and importance deserve, and the interest of the taxpayers of the city demand, and report their action in the premises to Councils at their next meeting.

Which was read.

Mr. Fox presented, as a substitute for 141, the following:

142 C. C. To the Water Committee of Councils of the City of Pittsburgh:

GENTLEMEN: According to the statements put forward in the city papers, the sum of \$769,000 is still required to complete the engines, engine house and appurtenances of the new water works.

This large sum required and unsatisfactory performance, both for safety and economy, of the new engine at the Allegheny City water works; (the engines for the new water works of this city being of the same type and design) the greater consumption of fuel required by forcing the entire water supply of the city to Highland avenue reservoir, as is now proposed, instead of forcing only one quarter of the water to Highland avenue and the remainder to Brilliant Hill reservoir; the continual risk of bursting pipes in the lower parts of the city from the excessive pressure caused by this great height, which risk no arrangement of valves, etc., can ever be safely relied upon to obviate; all combine to demand serious and impartial consideration.

Believing that a less sum than the one now named as necessary for the completion of the new works, can be made to produce vastly more valuable results, we respectfully invite your consideration of the following proposal:

We will build, deliver and erect at the new pumping works at Negley's Run, two double condensing beam engines, and will modify the present foundations to suit the same. We will guarantee each double engine to raise twenty-four million gallons of water per day

to Brilliant Hill reservoir. We will build, deliver and erect at Brilliant Hill, a third engine capable of raising eight million gallons of water from Brilliant Hill to Highland avenue reservoir; will prepare foundation for this engine, furnish boilers, fire fronts, pipes, valves, etc., complete for both these engines. We will finish Brilliant Hill reservoir, lay the 8,000 feet of 36-inch pipe to connect with the 36-inch pipe now laid on Butler street, lay two lines of 36-inch rising mains from the lower engine house to Brilliant Hill reservoir, lay 1,200 feet of 24-inch pipe from Brilliant Hill engine house to Highland avenue reservoir, furnish stop valves, etc., complete as may be required.

This entire plant will cost \$750,000. We will agree to take the machinery, boilers, etc., now under way at \$150,000. This reduces the net cost of the entire plant, complete, ready to pump water, to \$600,000. The saving in first cost over the plan now proposed would thus be \$169,000. This, however, is the least of the advantages of our proposed plan.

The new engine at the Allegheny City water works can only be run at a speed of $4\frac{1}{2}$ to 5 revolutions per minute; at this speed, nominally delivering seven and a half million gallons of water per 24 hours; but as the churn or connecting pipe between the pumps (which has been found necessary to the working of this engine) wastes fully 26 per cent., and the valve for admission of air into the pumps, wastes fully 7 per cent., of the nominal delivery of the engine, the net practical delivery of the engine is reduced to five millions gallons of water, pumped 222 feet high, per 24 hours. To do this 780 bushels of coal are consumed. Therefore, to raise forty-eight million gallons of water to Highland avenue reservoir, 356 feet high in 24 hours, would require 12,000 bushels of coal.

We are aware that it may be claimed that the new engines for the city of Pittsburgh are of an improved construction, with the addition of condensers, compound cylinders, etc., and will therefore give better results than the Allegheny city engine; but even allowing that these advantages and improvements are real, (which is not by any means certain), and advancing the duty of the new engines for this city from about sixteen or eighteen million pounds of water, pumped one foot high with 100 pounds of coal (this being the duty of the Allegheny City engine) to say thirty millions; and as we are willing to guarantee our engines to pump sixty million pounds of water one foot high, with 100 pounds of coal; it is seen at once that our engines will do just twice the work with the same amount of fuel.

Allowing this duty of thirty millions for the new engines of this city, then to raise forty-eight million gallons of water per day to Highland avenue reservoir 356 feet high, will require 6,000 bushels or 228 tons of coal. The engines as proposed and guaranteed by us will pump forty-eight million gallons of water per day to the Brilliant Hill reservoir, with 75 tons of coal, and twelve million gallons of water from Brilliant Hill to Highland avenue reservoir, with 8 tons of coal; total 83 tons per day, a saving of 145 tons per day; which at \$1.62 per ton amounts to \$234.90, say \$235 per day or \$85,900 per annum, this being the annual interest at 7 per cent. on \$1,214,000.

The entire cost of the new plant being only \$600,000; after paying interest on this sum at 7 per cent, there will remain an annual saving of \$43,000 in the one item of fuel, over the plan now proposed. To this should also be added the increased labor for firing the boilers, or burning up the extra coal to be wasted by

the present plan, wheeling coal and ashes, extra wear and tear of boilers, grate bars, shovels, fire irons, etc., which will amount to at least \$15 per day; and the large sum that would annually be required for repairs, delays, etc., if the experience with the new engine at Allegheny City is to be entitled to any weight.

We will undertake and guarantee to have all this work completed in 24 months, and that one engine shall be completed and pumping in 20 months. We wish to distinctly impress on your honorable committee, that we make this proposal not alone as manufacturers of such machinery, but also as taxpayers of this city; for we are fully aware that the work could not be awarded to us without inviting the competition, of other bidders, and, of course this open publication of our figures, put us at disadvantage with other competitors, and further, we have no doubt that many well established manufacturers, acquainted with such work, will do the same work at about the same figures if their attention can be drawn to the matter. We would also beg you to bear in mind that we propose no new or experimental machinery, but merely the most approved modern type of pumping engine, such as can be seen in practical successful operation in many cities of the country, where they have been working for years and where their merits or demerits can be accurately known. Most earnestly asking your most careful and thorough consideration and investigation of this proposal.

We are, gentlemen, Your most respectful servants.

MACKINTOSH, HEMPHILL & Co.

PITTSBURGH, February 29, 1876.

P. S.—We note that we have omitted to specify the engine houses at Brilliant Hill and Negley's Run as included in our proposal. They are both included as part of this proposal.

MACKINTOSH, HEMPHILL & Co.

PITTSBURGH, March 2, 1876.

To the Water Committee of Councils of the City of Pittsburgh.

GENTLEMEN:—We have carefully read and considered the proposal of Messrs. Mackintosh, Hemphill & Co. to your committee, and from our knowledge of that firm are certain that they have not made this proposal without thoroughly investigating the whole subject and satisfying themselves that they can do what they propose. We therefore respectfully request your serious consideration of their proposal.

Hussey, Wells & Co.	Lucy Furnace Co.
Jos. Woodwell & Co.	Shoenberger & Co.
Reese, Graff & Woods.	Robinson, Rea & Co.
Miller, Metcalf & Parkin.	Riter & Conley.
Bailey, Farrell & Co.	Brown & Co.
A. Garrison & Co.	Carnegie Bros. & Co.
Singer, Nimick & Co.	Park, Bro. & Co.
	Wm. Clark & Co.

Resolved, That the Water Committee be and is hereby instructed to report to Councils upon the expediency of adopting the proposal of Mackintosh, Hemphill & Co., herewith submitted.

Which was read.

Mr. HUGHES moved,

To lay the matter on the table.

Which did not prevail.

Mr. FOX moved,

The passage of the resolution.

Which motion, on a call of a division, prevailed by a vote of 25 ayes to 9 noes.

And the resolution passed.

Mr. BOUCHER moved,

To refer the resolution No. 141 C. C. to the Water Committee.

Prevailed.

Mr. FOLEY,

143. Resolved, That the Street Committee be and they are hereby directed to instruct the Street Commissioners to employ no foreman over a gang of less than five men, and no foreman shall be so employed, unless he is a practical workingman.

Which was read.

Mr. FOLEY moved,

The passage of the resolution.

Mr. BOUCHER moved,

To amend, by referring the resolution to the Street Committee.

Which, on a call of a division, did not prevail. Ayes, 14; noes, 15.

Mr. BOUCHER moved,

To refer the resolution to a Special Committee of three from Common Council and two from Select Council.

Mr. FOLEY moved,

To amend, by making the Committee to consist of five members of Common Council.

Mr. HUGHES moved,

To adjourn.

Which did not prevail.

And the amendment of Mr. Foley was agreed to.

And the motion of Mr. Boucher, to refer to a Special Committee as amended was agreed to.

And the CHAIR appointed Messrs. Foley, Boucher, Dickson, Neeb and Thompson.

Mr. BOUCHER presented,

144 A resolution for a warrant in favor of P. Moran & Co. for the sum of \$7,523.32 for grading Hill street.

Referred to Finance Committee.

Mr. KERR,

145 Resolution for a warrant in favor of James J. Booth and Wm. Flinn for the sum of \$12,000 for grading, paving and curbing of Adelaide street.

Referred to Finance Committee.

Mr. FENNERTY,

146 A resolution directing the Mayor to notify all railroad companies to hang chains across all streets when being crossed by trains.

Referred to Railroad Committee.

Mr. THOMPSON moved,

To reconsider the action on No. 47 C. C. entitled "An Ordinance re-locating Murray avenue from Wilkins avenue to Four Mile Run Road."

In C. C., February 28, 1876, passed.

Which motion prevailed.

Mr. FOX moved,

That the bill (No. 47, C. C.) be recalled from S. C.

Which motion prevailed.

Adjourned

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, March 20, 1876.

No. 11.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS PRESIDENT.
E. S. MORROW CLERK.

PITTSBURGH, March 18, 1876.

E. S. MORROW, City Clerk:

SIR:—The Finance Committee at a meeting held this day directed the calling of a special meeting of Select Council for Monday, March 20, 1876, at 2 o'clock, P. M., to consider an ordinance authorizing a temporary loan for payment of interest on street improvement bonds.

R. M. SNODGRASS,
Controller.

And now, March 18, call issued.

PITTSBURGH, March 20, 1876.

Council met pursuant to the foregoing call. Present—Messrs. Ahl, Aiken, Brown (R. B.), Buckley, Dannels, Darlington (B.), Dietrich, Duff (C. P.), Epping, Foster, Fox (Gregor), Geiger, Herron, Holliday, Hunter, Kerr, Lappan, Littell, Meyer, Moore, Musgrave, McCandless, MacConnell, McClurg, McKinley, Nusser, O'Neill (E. M.), O'Neill (Jno.), Powers, Reiman, Rodgers, Sawyer, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Gross.

Absent—Messrs. Atkinson, Barclay, Bates, Braun, Brown (Samuel S.), Bruce, Carr, Darlington (H.), Denniston, Doyle, Evans, Felker, Fox (George), Froehlich, Glass, Goldthorp, Hayden, Jeremy, Kennedy, Kernan, Lagerman, Metzgar, Miller, Murray, McCombs, McGimpsey, Negley, Perry, Ray, Rolfe, Schild, Schwarm, Waring, Welsh.

The minutes of the last meeting were read and approved.

Mr. SHIPTON, from the Finance Committee, presented, with an affirmative recommendation,

S. C. Bill No. 146, entitled "An Ordinance to authorize a temporary loan for the payment of interest on bonds issued for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown, (R. B.)

Buckley, Dannels, Darlington (B.), Dietrich, Duff (C. P.), Epping, Foster, Fox (Gregor), Herron, Holliday, Hunter, Kerr, Lappan, Littell, Meyer, Moore, Musgrave, McCandless, MacConnell, McClurg, McKinley, Nusser, O'Neill (Eugene M.) Powers, Rodgers, Sawyer, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Gross—37.

Noes—Messrs. O'Neill (John), Reiman—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also, from the same Committee,

[159] A report covering and recommending the passage of the accompanying resolution.

Which was read and accepted.

Also, the following,

[160] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for warrants in favor of the following named parties as viewers appointed by the court in the case of the City vs. Thirty-third street sewer:

John Murdock, Jr., ... \$75.00

T. J. Craig, ... 75.00

Samuel Chadwick, ... 75.00

And charge the same to appropriation No. 13, Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee,

[161] A report covering and recommending the passage of the accompanying resolution.

Which was read and accepted.

Also, the following:

[162] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for warrants in favor of the following named parties as viewers appointed by the court in the case of the City vs. J. M. Faas:

T. J. Craig, ... \$25.00

R. A. Cunningham, ... 25.00

Aaron Floyd, ... 25.00

And charge the same to appropriation No. 13, Contingent Fund.

Which, the rule being suspended, was read three times and passed.

Also,

[163] Petition of Cummings Cherry for leave to put down a four feet sidewalk on Oak alley.

Which was referred to the Street Committee.

Mr. LITTELL, the following:

[164] WHEREAS, There is good reason to believe that in the event of immunity from prosecution being assured to Robert Greer, he will cheerfully appear before the Legislative Committee and testify to all the facts, in connection with bonds, checks and drafts be-

longing to the city of Pittsburgh, deposited with the Nation Trust Company; therefore

Resolved, That the Governor of the Commonwealth of Pennsylvania and Board of Pardons are hereby earnestly requested by the Councils of the City of Pittsburgh, Pennsylvania, to assure a full pardon to Robert Grier, for all matters connected with or relative to the affairs of the Nation Trust Company, in the event of his so appearing and testifying.

Which was read.

Mr. WELDON moved,

To refer the resolution to the Finance Committee.

On which motion a division was had, and there were twenty-two ayes and five noes.

So the motion prevailed.

Mr. WELDON, the following:

[165] *Resolved*, by the City of Pittsburgh, in Select and Common Councils assembled, That the City Controller shall be and he is hereby authorized and directed to

issue his certificate for a warrant in favor of B. Byrnes for the sum of Five thousand dollars, being the amount of assessment on Sylvan avenue, and charge same to the Contingent Fund.

Which was read and referred to the Finance Committee.

Mr. SCHWARM,

[166] Petition of citizens of the Thirty-first ward for refunding taxes paid in excess of the two-thirds rate chargeable on property assessed as "Rural," for 1875.

Which was referred to the Finance Committee.

Mr. POWERS,

[167] Petition of J. W. Brooks for payment of a claim for damages arising from injuries received by falling into an unprotected ditch on Morgan avenue, Thirteenth ward.

Which was referred to the Committee on Claims and Accounts.
Adjourned.

Attest

E. D. Monnon

Clk

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Wednesday, March 22, 1876.

No. 12.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

PITTSBURG, March 18, 1876.

GEO. BOOTH, Clerk to Common Council.

SIR.—By direction of the Finance Committee, you will call a special meeting of Common Council for Wednesday, March 22, 1876, at 2 o'clock P. M., for the purpose of considering an Ordinance entitled "An Ordinance authorizing a temporary loan for the payment of interest on bonds issued for the improvement of Penn avenue, and other avenues and streets in the city of Pittsburgh."

Respectfully Yours,

R. M. SNODGRASS,
Controller.

PITTSBURG, March 22, 1876.

Council met pursuant to the foregoing call. Present—Clark, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Ferson, Hagan, Helmold, Hogle, Hughes, Kettenberg, Lemer, Nantker, Neeb, Powers, Reynolds, Roth, Rott, Torrence, Voskamp, Negley.

Absent—Atcheson, Aull, Bell, Boucher, Coll, Fennerty, Foley, Hahn, Kerr, Kirchner, Laughran, Mears, Moore, McCafferty, Nisbet, Rahausser, Robeson, Thompson, Walnwright.

The Minutes of the previous meeting were read and approved.

Whereupon Council proceeded to the consideration of the business for which the meeting was called, to-wit:

No. 146, S. C., entitled, "An Ordinance to authorize a temporary loan for the payment of interest on bonds issued for the improvement of Penn avenue, and other avenues and streets in the city of Pittsburgh."

In S. C., March 20th, passed finally.

Which was read.

Mr. NEEB moved,

To postpone further action for the present.

Prevailed.

Mr. NEEB moved,

Councils proceed with the order of business of regular meetings.

Prevailed.

Mr. NEEB presented the following:

No. 147. *Resolved*, That the Gas Committee be requested to use its influence with the Pittsburgh Gas Company for a main on

Virgin alley, from Smithfield street to Cherry alley.

Referred to Committee on Gas Lighting.

Mr. HELMOLD.

148. Petition of Mrs. A. M. E. Mingis for refunding overpaid taxes.

Referred to Committee on Appeals.

Mr. KETTENBERG.

149. Resolution authorizing the Committee on City Property to advertise for proposals for furnishing the different offices in Municipal Hall with a supply of ice during the present season.

Referred to Committee on City Property.

Mr. Dickson presented the following:

150. *Resolved*, That the Board of Fire Commissioners be, and they are hereby requested, to consider the importance of the extension of the fire alarm telegraph to north-erly end of the Thirteenth ward.

Which was read and passed.

Mr. Dickson presented the following:

No. 151. WHEREAS, There is good reason to believe that in the event of immunity from prosecution being assured to Robert Grier, he will cheerfully appear before the Legislative Committee and testify to all the facts in connection with bonds, checks, and drafts belonging to the city of Pittsburgh, deposited with the Nation Trust Company.

Therefore

Resolved, That the Governor of the Commonwealth of Pennsylvania is hereby earnestly requested by the Councils of the city of Pittsburgh, to assure a full pardon to Robert Grier for all matters connected with, or relative to, the affairs of the Nation Trust Company in the event of his so appearing and testifying.

Which was read.

Mr. REYNOLDS moved,

To lay the Resolution on the table.

On which a division was had, and the motion prevailed by a vote of 10 ayes to 8 noes.

So the Resolution was laid on the table.

BUSINESS FROM SELECT COUNCIL.

159, S. C. A report from the Finance Committee covering a resolution for warrants in favor of T. J. Craig, Samuel Chadwick and Alex. Murdoch for services as Viewers on assessment for construction of Thirty-third street sewer.

In S. C., March 20th, 1876.

Read and accepted.

In which action C. C. concurred.

160, S. C. Resolution for warrants in favor of T. J. Craig, Samuel Chadwick, and Alex. Murdoch for the sums of \$75.00 each for services as Viewers on Thirty-third street sewer.

In S. C., March 20th, 1876.

Passed finally.

Which, the rule being suspended, was read a third time, and finally passed.

161, S. C. A report from the Finance Committee covering and recommending the passage of accompanying resolution for warrants in favor of T. J. Craig, R. A. Cunningham and Aaron Floyd, for services as Viewers.

In S. C., March 20th, 1876.

Read and received.

In which action C. C. Concurred.

162, S. C. Resolution for warrants in favor of T. J. Craig, R. A. Cunningham and Aaron Floyd, for the sum of \$25.00 each for services as Viewers in suit of City vs. J. M. Faas.

In S. C., March 20th, 1876.

Passed finally.

Which, the rule being suspended, was read a third time, and finally passed.

Mr. NEEB, by leave, called up

S. C., No. 146, entitled "An Ordinance to authorize a temporary loan for the payment of interest on bonds issued for the improvement of Penn avenue, and other avenues and streets in the city of Pittsburg."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Clark, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Ferson, Helms, Hogle, Hughes, Kettenberg, Lemer, Nantker, Neeb, Powers, Reynolds, Roth, Rott, Torrence, Voskamp, Negley.—22.

Noes—Hagan.—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Adjourned.

Municipal Record.

Proceedings of the Select and Common Councils of the City of Pittsburgh.

Vol. 9.

Monday, March 27, 1876.

No. 13.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS PRESIDENT.
E. S. MORROW CLERK.

Pittsburgh, March 27, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barkley, Brown (R. B.), Bruce, Dannels, Denniston, Doyle, Duff (C. P.), Duff (J. K. P.), Epping, Fox (George), Fox (Gregor), Froehlich, Geiger, Glass, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neil (E. M.), O'Neil (Jno.), Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singerly, Sorg, Taylor, Weldon, Welsh, Goss.

Absent—Messrs. Bates, Brown (S. S.), Buckley, Carr, Darlington (B.), Darlington (H.), Dietrich, Evans, Felker, Foster, Goldthorp, Hayden, Herron, McCombs, Nusser, Perry, Ray, Reiman, Vierheller, Waring.

The minutes of the previous meeting were read and approved.

Mr. R. B. BROWN presented.

[168] An Ordinance authorizing the opening of Twenty-third street, from Josephine street to Monongahela river.

Which was referred to the Street Committee.

Also,

[169] Petition of John Farnan for refunding of overpaid taxes on property in the Twenty-fifth ward.

Which was referred to the Committee on Appeals.

Mr. BRUCE,

[170] Petition of William Jackson for damages caused by the change of grade on Water street.

Which was referred to Street Committee.

Mr. JEREMY, the following.

[171] WHEREAS, The Finance Committee have not met and are not ready to report on the resolution in regard to the pardon of Robert Grier,

Resolved, That we recall the said resolution from said Committee, as four-fifths of the stockholders of the Nation Trust Company and the tax-payers of the city wish the Council to act promptly.

Which was read.

Mr. LITTELL moved,

To suspend the rule to allow the consideration of the resolution.

On which motion a division was had, and there were thirty-four ayes and four noes.

So the motion prevailed.

Mr. JEREMY moved,

The passage of the resolution.

Which motion prevailed.

And the resolution (S. C. No. 164) as follows,

WHEREAS, There is good reason to believe that in event of immunity from prosecution being assured Robert Grier, he will cheerfully appear before the Legislative Committee and testify to all the facts in connection with bonds, checks and drafts belonging to the City of Pittsburgh, deposited with the Nation Trust Company; therefore,

Resolved, That the Governor of the Commonwealth and the Board of Pardons are hereby earnestly requested by the Councils of the City of Pittsburgh, Pennsylvania, to assure a full pardon to Robert Grier, for all matters connected with or relative to the affairs of the Nation Trust Company, in the event of his so appearing and testifying.

Having been returned by Controller R. M. Snodgrass, Clerk, to the Finance Committee,

Council, on motion of Mr. Littell, proceeded to its consideration.

Mr. E. M. O'NEILL presented the following as a substitute:

[172] WHEREAS, It has been represented that Robert Grier possesses important information respecting the affair of the Nation Trust Company, and is desirous of returning and testifying to the same,

Resolved, That Councils are willing and ready to hear any statement Grier may make to them, personally or by writing duly authenticated; and that if from such statements, in the judgement of Councils, the end of justice will be subserved by having Grier brought back to testify, Councils will petition for his immunity from punishment, on account of his part in the fraudulent transactions connected with said company. *Provided*, however, that in case Grier subsequently fails to verify such statement under oath, the pledge of Councils shall be considered of no effect.

Which was read.

And on the motion for the adoption of the substitute the ayes and noes were demanded by Messrs. E. M. O'Neill and Aiken, and the demand being sustained, were ordered and were:

Ayes—Messrs. Aiken, Brown (R. B.), Dannels, Denniston, Duff, Geiger, Hunter, Kernan, Lappan, MacConnell, O'Neill (E. M.), Powers, Sawyer, Singerly, Sorg, Gross—16.

Noes—Messrs. Ahl, Atkinson, Barkley, Bruce, Doyle, Duff (J. K. P.), Epping, Fox (George), Fox (Gregor), Froehlich, Glass, Holliday, Jeremy, Kennedy, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey,

McKinley, Negley, O'Neill (John), Rodgers, Rolfe, Schild, Schwarm, Shipton, Taylor, Weldon, Welsh—36.

So the motion did not prevail.

Mr. AIKEN moved,

To amend the resolution, by inserting the words, "upon petition of the stockholders of the Nation Trust Company," after the words, "a full pardon to Robert Grier."

Which was accepted, and the resolution was so amended, and as amended was passed.

Mr. MACCONNELL moved,

That the Clerk be directed to inform Common Council that this body was now ready to meet in Joint Session for the election of a member of the Board of Health in the place of John D. Fleming, deceased.

Which was done.

Mr. SHIPTON presented,

[173] Report of the City Controller for the fiscal year ending January 31, 1876.

Which was accepted, and three hundred copies ordered to be printed for distribution.

Mr. J. K. P. DUFF,

[174] *Resolved*, That the City Attorney shall be and is hereby authorized and directed to enter satisfaction on the record at No. 215 July term, 1872, of a lien there filed against the property of John Brown in the Twenty-fifth ward.

Which was referred to Finance Committee.

Also,

[175] *Be it Resolved*, That the City Controller shall be authorized to issue his certificate for a warrant in favor of C. Stolzenbach for the sum of fifteen hundred and fifteen dollars and sixty-six cents (\$1,555.66), balance due him for grading Barry street.

Which was referred to the Finance Committee.

Mr. C. P. DUFF,

[176] Petition for the improvement of Hill alley, Thirteenth ward.

Which was referred to the Road Committee.

Also,

[177] Petition for the opening of Osage alley, from Penn avenue to property of Stacy Lloyd's heirs.

Which was referred to the Road Committee.

Also,

[178] Petition of Glass, Neely & Co. for exoneration of business tax.

Referred to Finance Committee.

Mr. WELDON,

[179] An Ordinance authorizing the re-grading, re-paving and re-curbings of Thirty-third street, from Penn avenue to Liberty avenue.

Referred to Street Committee.

Mr. POWERS,

[180] *To the President and members of Select Council:*

GENTLEMEN:—In consequence of my removal from this city to the Pacific coast, I herewith present my resignation as a member of this Council from the Fourteenth ward, and in doing so, embrace the opportunity of thanking the Presidents of Select and Common Councils for the many courtesies extended me while a member of their respective branches. I also thank the members for many kindnesses, and representatives of the Press and Clerks of Councils for their uniform good will.

Yours, most Respectfully,

JAS. B. GLASS.

Which was read and accepted.

Also,

[181] *Resolved*, That, in parting with J. B. Glass, Esq., we recognize in him an efficient member of Council and a genial gentleman, and associate. That it is with sincere

regret we are called upon to accept his resignation, and that he carries with him to his Western home the best wishes of many friends in Pittsburgh.

Which was read and passed.

Also,

[182] *Resolved*, That the Mayor of the city be requested to issue his proclamation for a special election in the Fourteenth ward to fill the vacancy caused by the resignation of J. B. Glass, Esq.

Which, the rule being suspended, was read a third time and passed.

Mr. MUSGRAVE,

[183] A report from the Market Committee announcing the award of a contract for new doors at the Diamond and Fifth avenue Market Houses to R. A. A. Patterson.

Which was read and approved.

Mr. BARKLEY,

[184] Petition for a better supply of water on Enoch street, Eleventh ward.

Referred to Water Committee.

Mr. SHIPTON, from the Committee on Gas Lighting, affirmatively,

S. C. Bill No. 82. An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

Pending action thereon.

The Clerk of Common Council being introduced, announced that that body was ready to meet Select Council in Joint Session for the purpose of electing one person to be a member of the Board of Health in the place of Jno. D. Fleming, deceased.

And on motion, Select Council proceeded to the Common Council Chamber for that purpose.

And being so met in

JOINT SESSION,

Council proceeded to said election.

Mr. HOLLIDAY nominated

Jared M. Brush.

And the result of the voting was as follows:

For Jared M. Brush—

Messrs. Ahl, Aiken, Atkinson, Barkley, Brown (R. B.), Bruce, Dannels, Denniston, Doyle, Duff (C. P.), Duff (J. K. P.), Epping, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lappan, Lagerman, Littell, Meyer, Miller, Moore, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neill (John), Powers, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh, Gross.

And Jared M. Brush received seventy-three votes and was declared duly elected a member of the Board of Health in the stead and for the unexpired term of John D. Fleming, deceased.

And the business of the Joint Session being over, Select Council returned to its own chamber.

Council proceeded to the consideration of S. C. Bill No. 82. An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

And the rule being suspended, the bill was read a second and third time.

Mr. DOYLE moved,

To amend, by making the duration of the contract five in the place of fifteen years.

Which motion did not prevail.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Brown (R. B.), Bruce, Dannels, Duff (C. P.), Epping,

Fox (George), Fox (Gregor), Froehlich, Holli-day, Hunter, Jeremy, Kernan, Kerr, Lagerman, Lappan, Littell, Miller, Moore, Murray, Musgrave, McCandless, Mac onnell, McClurg, McGimpsey, McKinley, Negley, O'Neil, (Engene M.), Rolfe, Sawyer, Schwarm, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh, Gross—40.

Noes—Messrs. Barckley, Doyle, Duff (J. K. P.) Geiger, Meyer, O'Neil (Jno.), Schild—7.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively.

[185] *Resolved*, That the East End Gas Company be and they are hereby authorized and directed to erect public gas lamps at the following points, to wit:

One on Meadow street, 200 feet from Larimer avenue.

Two on Lang avenue, between Penn avenue and Pennsylvania Railroad.

One on Forbes street, corner of Craig street (if mains are laid).

One on Forbes street, corner of Dithridge street, (if mains are laid).

Five on Stanton avenue, between Hiland avenue and St. Clair street (to be taken from Hiland avenue).

Three on Winebiddle street, between Penn avenue and Pearl street.

Two on bridge crossing Pennsylvania Railroad on Hiland avenue.

One on Hiland avenue, corner of Ellsworth avenue.

Two on Cedar street, between Liberty avenue and first alley South.

Which, the rule being suspended, was read three times and passed.

Also, from the same Committee affirmatively.

[186] *Resolved*, That the South Side Gas Company be and they are hereby authorized and directed to erect public gas lamps at the following points to-wit:

One on Jane street, corner of Thirtieth street.

One corner of Jones & Laughlin's coal railroad and P. V. & C. Railway.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee, affirmatively.

[187] *Resolved*, That the Pittsburgh Gas Company be and they are hereby authorized and directed to erect public lamps at the following points, to-wit:

One, northwest corner of Kirkpatrick street and Reed alley.

Three on easterly side of Thirty-eighth street, between Penn avenue and Butler street.

Three on Forty-third street, between Butler street and Willow street (to be taken from Forty-second street).

Two on Forty-sixth street.

Which, the rule being suspended, was read a third time and passed.

Also, from the same Committee,

[188] A report covering a statement of expenditures (\$2,846.26) for the month of March.

Which was read and accepted.

Mr. NEGLEY, by leave, called up,

C. C. Bill No. 16, entitled "An ordinance changing the location of Heberton street from Stanton avenue to Graff street."

Which was read.

And the rule being suspended, the bill was read a second and a third time, and on the question, "Shall the bill pass finally?" the

ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barckley, Bruce, Doyle, Duff (C. P.), Epping, Fox (George), Froehlich, Geiger, Hunter, Jeremy, Kerr, Lagerman, Littell, Miller, Moore, Murray, Musgrave, McCandless, McClurg, McKinley, Negley, O'Neil (E. M.), O'Neil (John) Powers, Rodgers, Rolfe, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh, Gross—38.

Noes—none.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. KERR presented,

[190] An ordinance relative to the collection of fines and forfeitures.

Which was referred to the Ordinance Committee.

Also, from the Ordinance Committee, affirmatively.

S. C. Bill No. 85, "An ordinance relating to the sale of merchandise in the city of Pittsburgh."

Which was re-committed to the Ordinance Committee.

Mr. TAYLOR, by leave, called up,

C. C. Bill No. 21, entitled "An ordinance authorizing the grading, paving and curbing of Forty-seventh street from Allegheny Valley Railroad to the Allegheny river."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barckley, Doyle, Duff (C. P.), Duff (J. K. P.), Epping, Fox (George), Froehlich, Geiger, Hunter, Jeremy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, Musgrave, McCandless, McClurg, McKinley, Negley, O'Neil (E. M.), Poweas, Rodgers, Rolfe, Sawyer, Schild, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh, Gross—38.

Noes—0.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

The PRESIDENT appointed,

Mr. C. L. Powers on the Water Committee in the place of Mr. Glass, resigned.

Mr. E. M. O'NEILL presented,

[191] A report from the Committee on Legislation transmitting sundry copies of Acts of Assembly, and recommending the action thereon contained in the accompanying resolutions

Which was read and accepted.

Also, from the same Committee,

[192] *Resolved*, That our representatives in the State Legislature be and are hereby requested to use every effort to secure the defeat of House Bill No. 251, "A supplement to an act dividing cities of this State into three classes, and providing for the withdrawal of certain territory from cities of the second class."

Which was read and passed.

Also from the same Committee,

[193] *Resolved*, That our representatives in the State Legislature at Harrisburg be and are requested to use every effort to secure the passage of House Bill No. 340, "An Act relative to the purchase by cities of the second class of turnpikes and plank roads within the limits of such cities."

Which was read.

Mr. WELDON moved,

To postpone action.
Which did not prevail, and the resolution passed.

Also, from the same Committee,
[194] Resolved, That our representatives in the State Legislature at Harrisburg be and are hereby requested to use every effort to secure the defeat of the "Act enlarging jurisdiction of Aldermen in cities of second and third class."

Which was read and passed.
Also, from the same Committee,
[195] Resolved, That our representatives in the State Legislature at Harrisburg be and are hereby requested to use every effort to secure the passage of the "Act providing for the classification of real estate for the purpose of taxation and for the appointment of assessors in cities of the second class."

Which was read.
Mr. JEREMY moved,
To lay the resolution on the table.
Which motion prevailed.
Also from the same Committee,
[196] Resolved, That our Representatives in the State Legislature at Harrisburg be, and are hereby requested to use every effort to secure the passage of the "Act repealing an act to regulate the election of school directors in sub-districts in the city of Pittsburgh."

Which was read and passed.
Also, from the same Committee,
[197] Resolved, That our Representatives in the State Legislature at Harrisburg be, and are hereby requested to use every effort to secure the passage of House Bill No. 391, "A supplement to an act dividing cities of this Commonwealth into three classes, etc."

Which was read and passed.
Mr. J. NO. O'NEIL moved,
To reconsider action on S. C. No. 194, resolution asking the passage of the act providing for the classification of real estate, etc., which did not prevail.

Mr. McCANDLESS moved,
A call of the House,
Which was ordered,
And was made, and the following-named members answered to the call of the roll:
Ayes—Messrs. Ahl, Aiken, Atkinson, Barkley, Bruce, Doyle, Duff (C. F.), Duff (J. K. P.), Epping, Fox (George), Froehlich, Geiger, Hunter, Jeremy, Kernan, Kerr, Lagerman, Lappan, Littell, Miller, Moore, Murray, Musgrave, McCandless, McClurg, McKinley, Negley, O'Neill (E. M.), O'Neill (J.), Rodgers, Rolfe, Schild, Schwarm, Shipton, Singler, Sorg, Taylor, Weldon, Gross—39.

From which it appeared that a quorum was present.

Mr. POWERS presented,
[198] Petition for the erection of a public gas lamp on Center avenue, between Soho and Chauncy streets.

Which was referred to the Committee on Gas Lighting.
And on motion Council adjourned.

COMMON COUNCIL.

W. B. NEGLEY,.....PRESIDENT.
GEORGE BOOTH,.....CLERK.

March 27, 1876.

Council met.
Present—Messrs. Bell, Boucher, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Helms, Hughes, Kerr, Kettenberg, Mears, Nant-

ker, Neeb, Nisbet, Powers, Rott, Thompson, Voskamp, Negley.

Absent—Messrs. Atcheson, Aull, Clark, Coll, Conway, Dauley, Foley, Hahn, Hagan, Hogle, Kirchner, Laughran, Lemer, Moore, McCafferty, Rahausser, Reynolds, Roth, Roberson, Torrence, Wainwright.

The minutes of the last meeting were read and approved.

Mr. FOX presented,
No. 152. An ordinance fixing the grade of west curb of Thirty-fourth street from Penn avenue to Liberty avenue,
Which was referred to Committee on Surveys.

Mr. KERR,
No. 153. Petition for the paying of the triangular piece of ground on Webster avenue at Fulton street.
Referred to Street Committee.

Mr. BELL,
154. Remonstrance against the widening and extension of Well or Spring alley, Thirty-fifth ward.
Referred to Committee on Surveys.

Mr. THOMSON,
No. 47. Report of the Viewers of Street Improvements on the damages caused by the grading of Forbes street, from Boyd to Brady street,
Which was approved.

Also,
157. Report of the Viewers of Street Improvements on the damages caused by the grading of Colwell street from Vine to Dinwiddie street,
Which was approved.

Mr. THOMSON, by leave, called up
No. 47 C. C., entitled "An Ordinance Authorizing the Re-location of Murray avenue, from Wilkins avenue to Four-mile-run road,"

Which was passed by C. C. Feb. 28th, 1876,
And which action was reconsidered March 28, 1876.

Which was read.
MR. THOMPSON moved
To postpone action indefinitely,
Which motion prevailed.
THE CHAIR presented bills

Nos. 67 S. C., and 68 S. C. Ordinances for the opening and grading, paving and curbing of Center street, from Pearl to Wine-biddle streets,
And

No. 122 C. C. An Ordinance authorizing the opening of Union alley from Grant street to upper line of estate of L. S. Johns (about 105 feet south of Sherman street), which were irregularly passed by C. C., March 13, 1876.

Mr. NEEB moved
That the action of this Council in the passage of bills Nos. 67 and 68, S. C., and No. 122, C. C., be reconsidered,
Which motion prevailed.
And bills Nos. 67 and 68, S. C., and No. 122, C. C., were severally referred to the Board of Viewers for report under ordinance of Dec. 27, 1875.

BUSINESS FROM SELECT COUNCIL.

153 S. C. Report from the Committee on Legislation transmitting sundry acts of Assembly,

In S. C., March 13, 1876,
Read and accepted,
In which action C. C. concurred.

155 S. C. Resolution asking for passage of House Bill No. 26, entitled "An Act empowering the Councils of cities of this

Commonwealth to prescribe by ordinance the salary to be paid out of the City Treasury to the Mayor, Controller, Treasurer, etc.

In S. C., March 13, 1876.

Passed finally,

In which action C. C. concurred.

154 S. C. Resolution asking for the defeat of House Bill No. 142, entitled "An Act to define and suppress vagrancy," and Senate Bill No. 49, entitled "An Act relative to idle and disorderly persons,"

In S. C., March 13, 1876,

Passed finally,

In which action C. C. concurred.

156 S. C. Resolution in relation to House Bill No. 17, entitled "An Act providing for the appraisement, and collection and payment of damages to private parties in the grading of streets, etc," asking that cities of the second class be excepted from the operations thereof,

In S. C., March 13, 1876.

Passed finally,

In which action C. C. concurred.

Mr. KETTENBERG, called up

No. 151 C. C. Preamble and Resolution asking the Governor to assure a full pardon to Robert Grier in case of his returning and testifying before the Legislative Investigating Committee,

Which in C. C., March 22, 1876, was read and laid on the table.

Which was read,

And on motion was referred to the Committee on Finance.

Mr. THOMPSON presented,

158. An Ordinance regulating the construction of sewer connections,
Which was referred to the Committee on Streets.

Mr. NISBET presented, recommended affirmatively by Survey Committee,

No. 80, S. C., entitled "An Ordinance locating Station street, from Frankstown avenue to Denniston avenue,

Which was read,

And the rules being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Bell, Boucher, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Helmold, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Powers, Rott, Thompson, Voskamp, Negley—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee affirmatively recommended,

No. 159 C. C. entitled "An Ordinance vacating Collins avenue from Stanton avenue to Graff street,

Which was read, and the rule being suspended, the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Bell, Boucher, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Helmold, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Powers, Rott, Thompson, Voskamp, Negley—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. DICKSON presented,

No. 160. An Ordinance changing the name of Well, or Spring alley, to Gunning street.

Referred to Committee on Surveys.
Also,

161. An Ordinance locating Gunning street.

Referred to Committee on Surveys.

151 S. C. Report of the Committee on Markets, for the month of February.

In S. C. March 13, 1876.

Read and accepted,

In which action C. C. concurred.

152 S. C. Report of the Committee on Allegheny Wharf for month of February.

In S. C. March 13, 1876.

Read and accepted.

In which action C. C. concurred.

150 S. C. Report of the Committee on City Property for month of February.

In S. C. March 13, 1876.

Read and accepted,

In which action C. C. concurred.

148 S. C. Report of the Committee on Water for month of January.

In S. C. March 13, 1876.

Read and accepted,

In which action C. C. concurred.

149 S. C. Report of the Committee on Water for the month of February.

In S. C. March 13, 1876.

Read and accepted. In which action C. C. concurred.

In which action C. C. concurred.

143 S. C. Report from the Committee on Finance covering resolutions for refunding overpaid tax.

In S. C. March 13, 1876.

Read and accepted,

In which action C. C. concurred.

144 S. C. Resolution for a warrant in favor of John Windstein for the sum of \$12.00 for refunding overpaid tax,

In S. C. March 13, 1876.

Passed finally.

Which the rule being suspended was passed finally.

145 S. C. Resolution for a warrant in favor of Gustave Hagen for the sum of \$9.50 for refunding overpaid tax.

In S. C. March 13, 1876.

Passed finally.

Which the rule being suspended, was passed finally.

Mr. FOLEY presented,

162. Petition of John Stack for reduction of property assessment in Thirty-sixth ward.

Referred to Committee on Appeals.

Mr. FENNERTY,

163. Petition for the grading and paving of Union alley from Grant street to upper line of Johns' estate.

Referred to Committee on Streets.

Mr. THOMPSON,

164. Appeal of Edward H. and Louisa Freund against the report of the Viewers in the matter of damages by grading Forbes street.

Referred to Committee on Streets.

On motion, Council took a recess of fifteen minutes.

And Council having re-convened there were

Present—Messrs. Aull, Bell, Boucher, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Helmold, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Rott, Thompson, Voskamp, Negley.

Absent—Messrs. Atcheson, Clark, Coll, Conway, Dauler, Hahn, Hagan, Hogle, Kirchner, Laughran, Lemer, Moore, McCafferty, Powers, Rahauser, Reynolds, Roth, Robeson, Torrence, Wainwright.

Business from S. C. was taken up.

No. 173 S. C. Report of the City Controller for the fiscal year ending January 31, 1876.

In S. C. March 28, 1876.

Accepted, and 800 copies ordered to be printed for distribution.

In which action C. C. concurred.

164 S. C. Resolution requesting the Governor and Board of Pardons of Pennsylvania, upon the petition of the stockholders of the Nation Trust Co., to assure to Robert Grier a full pardon in the event of his returning and testifying in matters relating to the Nation Trust Company.

In S. C. March 27, 1876.

Passed finally.

Which was read, and on the passage of the resolution the ayes and noes were called, and the call being sustained, was ordered, and were:

Ayes—Messrs. Aull, Bell, Boucher, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Helms, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Rott, Thompson, Voskamp, Negley—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the resolution passed.

The Clerk of Select Council being introduced, announced that Select Council was ready to meet with Common Council in joint session, for the purpose of electing one person to serve as member of the Board of Health, in place of John D. Fleming, deceased.

And being so met in

JOINT SESSION

For that purpose, Council proceeded to said election, and the name of Jared M. Brush was placed in nomination, and the result of the voting was as follows:

For Jared M. Brush,

Ayes—Messrs. Aull, Bell, Boucher, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Helms, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Rott, Thompson, Voskamp, Negley—22.

Noes—None.

And Jared M. Brush having received 73 votes, was declared duly elected member of the Board of Health for the unexpired term of John D. Fleming, deceased.

And the business of the Joint Session being over, Select Council returned to their own chamber.

On motion, adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, APRIL 10 1876.

No. 14.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, April 10, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Buckley, Carr, Dannels, Darlington (H.), Denniston, Dietrich, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Fox (George), Froelich, Geiger, Glass, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lappan, Littell, Meyer, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), O'Neill (John), Powers, Reimer, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

Absent—Mess. Brown, (S. S.) Bruce, Darlington (B.) Doyle, Felker, Foster, Fox, (Gregor), Goldthorp, Hayden, Herron, Kernan, Lagerman, Miller, McCombs, MacConnell, Nusser, Perry, Ray and Waring. The minutes of the last meeting were read and approved.

Mr. Musgrave moved,

That the Clerk be directed to notify Common Council that this Council was ready to meet Common Council in joint session for the election of one person to be City Clerk and one person to be Assistant City Clerk.

Which motion prevailed, and which was done.

And on motion Select Council proceeded to the Common Council Chamber for that purpose.

And being so met in

JOINT SESSION,

Council proceeded to said election.

And for City Clerk

Mr. Neeb nominated

E. S. Morrow,

And the result of the voting was as follows :

For E. S. Morrow—

Mess. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Buckley, Carr, Dannels, Darlington (H.), Denniston, Dietrich, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Fox (George), Froelich, Geiger, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lappan, Littell, Meyer, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neill (John), Powers, Reimer, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And E. S. Morrow received eighty-four votes, and was declared duly elected City Clerk for the ensuing term.

And for Assistant City Clerk,

Mr. Fennerty nominated

George Booth

And the result of the voting was as follows ;

For George Booth—

Mess. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Buckley, Carr, Dannels, Darlington (H.), Denniston, Dietrich, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Fox (George), Froelich, Geiger, Holliday, Hunter, Jeremy, Kennedy, Kerr, Lappan, Littell, Meyer, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neill (John), Powers, Reimer, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Vierheller, Weldon, Welsh, Gross.

And George Booth received eighty-four votes, and was declared duly elected Assistant City Clerk for the ensuing term.

And the business of the joint session being over, Select Council returned to its own chamber.

Mr. Aiken presented

A report from the committee appointed to revise the Rules of Order, recommending the adoption of the rules submitted.

The report was read and accepted, and the rules were. On motion of **Mr. Shipton**, adopted.

Mr. Aiken moved,

That the committee be continued, with instructions to have the rules printed for use of Councils. Which motion prevailed.

Mr. Hunter presented

[199] Petition of H. W. Buffum & Co. for an abatement of business tax.

Which was referred to the Finance Committee.

Mr. Singlerly,

[200] Petition for the erection of public gas lamps in the Second Avenue Park.

Which was referred to the Committee on Gas Lighting.

Mr. Musgrave,

[201] Petition of the Assignee of L. J. Blanchard for an abatement of business tax.

Which was referred to the Finance Committee.

Also, by leave, called up,

[C. C. No. 103] Resolution directing city to satisfy lien against James Mawhinney.

In C. C. passed finally.

And moved.

To concur in the action of Common Council.

Mr. Aiken moved,

To refer to the City Attorney.

Which motion prevailed.

Mr. Jeremy,

[202] Petition of Michael Toner for refunding of over-paid taxes on property in the Seventh ward.

Which was referred to the Committee on Appeals from City Assessment.

Mr. C. P. Duff,

[203] Resolution directing the Water Committee to put in fire-plugs at the terminus of the water

mains on Wylie and Mahon avenues, Thirteenth ward.
Referred to the Water Committee.

Mr. Powers.

[204] A communication from E. Donnelly, M. D., calling the attention of Councils to the expediency of extending an invitation to His Imperial Majesty Dom Pedro II., Emperor of Brazil, to visit our city during his tour of the United States.

Which was read, received and ordered to be filed.

Mr. Brown (R. B.).

[205] An ordinance authorizing the Assessor of Water Rents to employ Assistants to make the assessment.

Which was referred to the Water Committee.

Mr. Schwarm.

[206] An Ordinance consolidating the Committees on Allegheny and Monongahela Wharves.

Which was referred to the Committee on Allegheny and Monongahela Wharves.

Mr. Holliday.

[207] Petition of Wm. Hughes, for refunding of over-paid taxes.

Which was referred to the Committee on Appeals from City Assessments.

Mr. Littell.

[208] Resolved, That the Finance Committee be and are hereby authorized and directed to procure and place in the office of the City Attorney a full set of the pamphlet laws of Pennsylvania.

Which, the rule being suspended, was read three times and passed.

The President.

[209] The resignation of Joseph Miller, as member of Select Council from the Twenty-ninth ward.

Which was read and accepted.

Mr. Duff (J. K. P.).

[210] The resignation of Wm. Doyle as a member of Select Council from the Twenty-ninth ward.

Which was read and accepted.

Mr. Powers.

[211] Resolved, That a Joint Committee from Councils—three from Select and four from Common Council—be appointed to take into consideration the propriety of extending an invitation to His Imperial Majesty Dom Pedro II. to visit Pittsburgh during his sojourn in the United States.

Which was read and passed, and Messrs. Powers, O'Neill (E. M.) and Singler appointed.

Mr. Brown (R. B.).

[212] Petition of McQuaide and Dean for payment of balance due for construction of Eleventh street sewer.

Which was referred to Finance Committee.

Mr. Shipton. from the Finance Committee, affirmatively, the following—

RESOLVED, By the City of Pittsburgh in Select and Common Councils assembled, That the City Controller shall be and is hereby authorized and directed to issue his certificate for a warrant in favor of Robert Hastings, to the amount of nineteen hundred and thirty-five (\$1935.07) dollars and seven cents, and charge the same to the Contingent Fund.

Which was read.

Mr. Musgrave moved,

To refer to the City Attorney.

Which did not prevail.

And the rule being suspended the resolution was read a third time and passed.

Also, From the same committee.

[214] A report from the Finance Committee covering and recommending the passage of S. C. Resolution No. 141.

Which was read and accepted.

S. C. No. 141, as follows:

Resolved, by the City of Pittsburgh, in Select and Common Councils assembled, That the City Controller shall be and he is hereby authorized and directed to issue his certificate for a warrant in favor of C. J. Schultz, for the amount of \$12,000, in part payment for the amount assessed by the viewers to the City of

Pittsburgh of the cost of constructing a bridge over the Four Mile Run, on Sylvan avenue, and charge the same to the Contingent Fund.

Was the rule having been suspended, read three times and passed.

Also, from the same Committee,

[215] A report covering and recommending the passage of S. C. No. 165.

Which was read and accepted.

S. C. No. 165, as follows:

RESOLVED, By the City of Pittsburgh, in Select and Common Councils assembled, That the City Controller shall be and he is hereby authorized and directed to issue his certificate for a warrant in favor of B. Byrnes, for the sum of five thousand dollars, being the partial amount of assessment on Sylvan avenue, and charge the same to Contingent Fund.

Was read, and, the rule having been suspended,

Mr. Shipton moved,

The third reading and final passage of the resolution.

On which motion a division was had, and there were twenty-three ayes and sixteen noes. So the motion prevailed, and the resolution was read a third time and finally passed.

Also, from the same committee,

[216] A report covering and recommending the passage of C. C. Resolution No. 145.

Which was read and accepted.

C. C. No. 145, as follows:

RESOLVED, By the City of Pittsburgh, in Select and Common Council assembled, That the City Controller shall be and he is hereby authorized and directed to issue his certificate for a warrant in favor of James Booth and William Flinn for the sum of \$11,000, being a partial amount of the assessment of Adelaide street, and charge the same to the Contingent Fund.

Was read, and, the rule having been suspended, was read a third time and passed.

Also, from the same committee

[217] A report covering and recommending the passage of C. C. No. 144.

Which was read and accepted,

C. C. No. 144, as follows—

RESOLVED, By the City of Pittsburgh, in Select and Common Council assembled, That the City Controller shall be and he is hereby authorized and directed to issue his certificate for a warrant in favor of P. Moran & Co. for the sum of seven thousand five hundred and twenty-three (32-100) dollars, (\$7523 53-100) being the amount due on Hill street, and charge the same to the Contingent Fund.

Which, the rule being suspended, was read three times and passed.

Also,

[218] An ordinance amending Section One of a further supplement to an Ordinance entitled, "An Ordinance authorizing the issue of bonds to be exchanged for bonds issued in payment of Subscriptions to Railroad Companies," passed 14th July, 1863.

Which was referred to the Finance Committee.

Mr. McAndless.

[219] A report from the Water Committee covering a statement of the expenditures (\$7649.83) for the month of March.

Which was read and accepted.

Mr. Hunter.

[220] Report from the Committee on City Property, covering statement of expenditures (\$685.93) for March.

Which was read and accepted.

Also,

[221] Report from the Committee on City Property, announcing award of contracts to Hughes and Dunn at \$148, for making paper cases for City Assessor's Office, and to Ed. Lare & Co. for roofing Nineteenth Ward Station House at \$3.97 per square.

Which was read and approved.

Mr. Musgrave.

[222] Report of the Market Committee, cov-

ering statement of receipts (\$1641.58) and expenditures (\$639.86) for March.

Which was read and accepted.

Mr. Sorg,

A report from the Committee on Wooden Buildings, reporting that they had

REFUSED, Petitions of Maurice Wallace, Bruggeman & Co., Edward McDermott, Fred. Gedeckoe and Charles Melling,

And recommending the passage of Ordinances granting Torley, McConway & Co. right to erect an iron-clad addition to their factory on Liberty street, between Twenty-fifth and Twenty-sixth streets; and John A. Scholfield to erect a frame addition to No. 1003 Penn avenue.

Which was read and accepted.

Mr. Ahl moved,

To re-commit the petition of Maurice Wallace.

Which motion prevailed.

Mr. Schwarm,

[225] A report from the Committee on Allegheny Wharf, covering statement of receipts (\$110) and expenditures (\$103.83) for March.

Which was read and accepted.

Mr. Duff (C. P.),

[226] Report from the Committee on Roads, covering statement of expenditures (\$4480.13) for March.

Which was read and received.

Also, From the same committee, affirmatively.

S. C. Bill No. 120, entitled, "An Ordinance authorizing the Assessment of Damages and Benefits caused by the grading of Lincoln avenue from Frankstown avenue to City Line.

Which was read.

And, the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Ahl, Aiken, Atkinson, Barckley, Bates, Brown (R. B.), Darlington (H.), Duff (C. P.), Duff (J. K. P.), Evans, Fox (Geo.), Froelich, Geiger, Hunter, Kennedy, Kerr, Littell, Meyer, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neill (John), Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Vierheller, Weldon, Welsh, Gross.—41

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Hunter, the following—

[227] Resolved, That the Mayor be authorized to issue his proclamation for a special election in the Twenty-ninth ward, to fill vacancies in Select Council for said ward.

Which, the rule being suspended, was read three times and passed.

Mr. Weldon, by leave, called up,

C. C. Bill No. 10, entitled, "An Ordinance locating Harrison street between Fiftieth and Fifty-second street.

Which was read

And, the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Ahl, Aiken, Atkinson, Barckley, Bates, Brown (R. B.), Darlington (H.), Duff (C. P.), Fox (George), Froelich, Geiger, Hunter, Kennedy, Kerr, Littell, Meyer, Moore, Murray, Musgrave, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), Powers, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Weldon, Welsh, Gross.—38

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Mr. Taylor, by leave, called up,

C. C. Bill No. 40, entitled, "An Ordinance authorizing the Construction of a Sewer on Property of Michael McCullough, from the end of present sewer

on Forty-second street, for a distance of twenty (20) feet.

Which was read,

Mr. Aiken moved

To refer to the Board of Viewers.

Which motion prevailed,

The following business from Common Council was taken up—

Annual Report of the City Engineer for 1875.

In C. C. read and accepted.

In which action S. C. concurred.

Reports from the Board of Viewers of Street Improvements, on the damages by the grading of

[156 C. C.] Forbes street, from Boyd to Brady street.

[157 C. C.] Colwell street, from Vine to Dinwiddie street.

[131 C. C.] Lang avenue, from Penn avenue to Pennsylvania Railroad.

Which in Common Council were severally read and approved.

In which action Select Council concurred.

[No. 49 C. C.] Report from the Board of Viewers on the damages caused by the grading of Carson street from Monongahela Bridge to the City Line.

In C. C. read and approved.

In Select Council,

On motion of **Mr. Holliday,**

Action postponed.

And on motion Council adjourned.

attest E. S. Morrison

COMMON COUNCIL.

clerk

W. B. NEGLEY PRESIDENT.

GEORGE BOOTH CLERK.

PITTSBURGH, April 10, 1876.

Council met.

Present.—Aull, Boucher, Clark, Coll, Dickson, Minn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Lemer, McClarren, McCafferty, Nan'ker, Neeb, Nisbet, Powers, Rahauser, Rott, Robeson, Thompson, Voskamp, Negley.

Absent.—Atcheson, Bell, Conway, Dauler, Hogle, Laughran, Mears, Moore, Reynolds, Roth, Torrence, Wainwright.

The minutes of the last meeting were read and approved.

The Chair presented,

[165.] A certificate of B. F. Kennedy, Prothonotary of the Court of Common Pleas of Allegheny county, certifying the election of Newton McClarren, as member of Common Council, for unexpired term of D. B. Morrison, resigned.

Which was read and received, and Mr. McClarren being present, took the oath of office, administered to him by the President.

Mr. Neeb presented

[166.] To the President and members of the Select and Common Councils of the City of Pittsburgh.

GENTLEMEN: In view of the frequent delays in the supply of water from the old works, the liability of entire failure at any time, and the consequent danger of a disastrous conflagration in our city, the Board of Fire Commissioners respectfully suggest for the consideration of your honorable bodies the following: That a line of pipe be laid over one of the Allegheny river bridges, and that a connection be made with the Water Works of Allegheny City, such line to be so arranged only for use in case of emergencies, such as a stoppage of supply or a conflagration. As the advantage would be for both cities, it may be that the Councils of our sister city would not only permit such connection to be

made, but join in the expense of construction. We ask that the matter be inquired into, and that a conference be had between sub-committees of both cities.

GEORGE W. WILSON, President.

Which was read, received and filed.

Also the following:

[167] **RESOLVED**, That a committee of five, three from Common and two from Select Council, be appointed to confer with the authorities of Allegheny City, relative to the connection of the Water Works of both cities.

RESOLVED, That the Presidents of Allegheny Councils, be requested to appoint a similar Committee.

Which was read and passed.

Also,

[168] An Ordinance authorizing the grading and paving of Virgin alley, from Cherry alley to Grant street.

Which was referred to the Street Committee.

Mr. Kerr presented,

[169] Petition for an abatement of the taxes on the property of John Cox, deceased.

Which was referred to the Committee on Appeals.

Also,

[170] Petition for the grading and paving of Cliff street, from Cassatt to Gum street.

Which was referred to the Committee on Streets.

Mr. Kettenberg presented,

[170½] An Ordinance authorizing the assessment of the damages and benefits caused by the grading of Garden street, from 44th to 45th streets.

Which was referred to the Committee on Streets.

Also,

[171] An Ordinance granting the Standard Nut Company the privilege to erect an addition (iron clad) to their works, south ward.

Which was referred to the Committee on Wooden Buildings.

The Clerk of Select Council being introduced, announced that that body were now ready to meet with Common Council, in Joint Session, for the purpose of electing one person to serve as City Clerk and one person to serve as Assistant City Clerk.

And Select Council was introduced.

And being so met in

JOINT SESSION.

Councils proceeded to the election of one person to serve as City Clerk.

Mr. Neeb nominated

E. S. Morrow.

And the result of the voting was as follows:

For E. S. Morrow—

Messrs. Aull, Boucher, Clark, Coll, Dickson, Flinn, Fox, Fritz, Fennerty, Person, Foley, Hahn, Hagan, Helms, Hughes, Kerr, Kettenberg, Kirchner, Lemer, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausner, Rott, Robeson, Thompson, Voskamp, Negley.

And E. S. Morrow, having received eighty-four votes, was declared duly elected City Clerk for the ensuing term.

And Councils proceeded to the election of one person to serve as Assistant City Clerk.

Mr. Fennerty nominated

George Booth.

And the result of the voting was as follows:

Messrs. Aull, Boucher, Clark, Coll, Dickson, Flinn, Fox, Fritz, Fennerty, Person, Foley, Hahn, Hagan, Helms, Hughes, Kerr, Kettenberg, Kirchner, Lemer, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausner, Rott, Robeson, Thompson, Voskamp, Negley.

And George Booth having received eighty-four votes, was declared duly elected Assistant City Clerk for the ensuing term.

And the business of the Joint Session being over, Select Council returned to their own chamber.

Mr. Fox presented,

[172] Petition for, and Resolution directing

the City Engineer to proceed with the opening of 45th street at once, in conformity with existing Ordinances, relative to the same.

The petition was received and filed.

And the resolution was passed finally.

Mr. McCafferty presented,

[173] Petition for the opening of Donnelly alley, from 51st to 52d streets.

Which was referred to the Committee on Streets.

Mr. Person presented,

[174] Resolution for a warrant in favor of James L. Person, for the sum of fourteen (14) dollars being balance due for services as Auditor of Collins township at the time of consolidation.

Which was referred to the Committee on Finance.

Also, the following—

[175] C. C. **RESOLVED**, That the City Engineer be, and he is hereby instructed to notify the different Passenger Railroad Companies within the city, whose roads traverse the different avenues and streets of the city, to have the same placed in good and sufficient repair forthwith as required by the City Ordinances regulating the same.

Which was read and passed.

Mr. Aull presented,

[176] A communication from the Secretary of the Guardians of the Poor, announcing a vacancy in said Board, caused by the resignation of Geo. M. Haslett.

Which was read and received.

Mr. Aull moved,

To suspend the rules for the purpose of proceeding to the election of one person to serve as member of the Board of Guardians of the Poor for the unexpired term of Geo. M. Haslett, resigned.

Which motion prevailed, and Council proceeded to said election.

Mr. Neeb nominated

Edward Houston.

And the result of the voting was as follows:

For Edward Houston—

Messrs. Aull, Boucher, Clark, Dickson, Flinn, Fox, Fritz, Fennerty, Person, Foley, Hagan, Helms, Hughes, Kerr, Kettenberg, Kirchner, Lemer, McClarren, McCafferty, Nantker, Neeb, Nisbet, Rahausner, Rott, Robeson, Thompson, Voskamp, Negley.

And Edward Houston having received twenty-eight votes was declared duly elected member of the Board of Guardians of the Poor for the unexpired term of George M. Haslett, resigned.

Mr. Foley presented,

[177] Petition of Mary Hanley for privilege to erect a frame building on Carson street, Thirty-fourth Ward.

Which was referred to Committee on Wooden Buildings.

Also,

[178] Petition of Martin Wilhelm for privilege to erect an addition to a frame building, Thirty-fourth ward.

Which was referred to the Committee on Wooden Buildings.

Mr. Thomson presented,

[179] A report from the Committee on Streets, covering a statement of their expenditures for the months of January, February and March, as follows:

January.....	\$ 4,715 22
February.....	3,708 13
March	3,880 78

Total.....\$12,304 13

Unexpended balance

87,695 37

Which was read, received and filed.

Also,

[180] C. C. An ordinance establishing the grade of Miller street from Reed street to Colwell street.

Which was referred to the Street Committee.

Also,

[181] C. C. An ordinance authorizing the

opening of Osage Lane from Penn avenue to property of heirs of Stacy Lloyd, deceased.

Which was referred to the Committee on Roads.

Also,

[182] C. C. An Ordinance authorizing the opening of Knox avenue from Brownsville avenue to city line.

Which was referred to the Committee on streets.

Also,

From the Street Committee affirmatively recommended.

No. 112. S. C. Entitled "An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company.

Which was read,

And the rule was suspended for the final passage of the bill.

Mr. Foley moved,

That the bill shall be so amended as to provide that said railway shall run nothing but passenger cars within the city limits.

Which motion prevailed.

Mr. Boucher moved,

That the bill be referred back to the Committee on Streets for amendment.

Which motion prevailed, and the bill was so referred.

Mr. Thomson presented from Street Committee, recommended affirmatively.

S. C. 127. Entitled "An Ordinance changing the name of First street, formerly Point street, to Fort street."

Which was read,

And the rule being suspended the bill was read a second and third time, and on the question, "shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Boucher, Clark, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Lemer, McCafferty, McClarren, Nantker, Neeb, Nisbet, Rahausser, Rott, Robeson, Thomson, Voskamp, Negley—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended,

[125] C. C. Entitled, "An Ordinance authorizing the construction of a board-walk on Morningside avenue from the Bridge at McKelvy & McMahon's Refinery on Butler street, to present board-walk on Morningside avenue.

Which was read,

And, the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were—

Ayes—Mess. Aull, Boucher, Clark, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Kettenburg, Kirchner, Lemer, McClaren, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Rott, Robeson, Thompson, Voskamp, Negley—28.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the same committee, affirmatively,

[124] C. C. entitled "An Ordinance authorizing the grading of Bluff street from Shingiss street to Marion street.

Which was read, and the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Mess. Aull, Boucher, Clark, Dickson, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Kettenburg, Kirchner, Lemer, McClarren, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Rott, Robeson, Thompson, Voskamp, Negley.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the same committee, affirmatively recommended,

[102] C. C. entitled, "An Ordinance to authorize the Re-paving of Wood street from Water street to Liberty street.

Which was read.

Mr. Aull moved,

That Councils be resolved into Committee of the Whole for the purpose of considering the bill and amendment.

Which was agreed to.

And, **Mr. Aull**, taking the Chair,

Councils went into Committee of the Whole.

And the Committee of the Whole having risen,

Mr. Aull, from the Committee of the Whole, reported the bill affirmatively, without change.

And on the question, "shall the bill pass finally," the ayes and noes were taken agreeably to law, and were: Ayes—Messrs. Aull, Boucher, Clark, Dickson, Flinn, Fritz, Hahn, Hughes, Kerr, Kettenberg, Nantker, Neeb, Robeson, Thomson, Voskamp, Negley—16.

Noes—Messrs. Fennerty, Ferson, Foley, Hagan, Kirchner, Lemer, McClarren, McCafferty, Nisbet, Rahausser, Rott—11.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.

Mr. Thomson presented from the same committee affirmatively.

[101] C. C. Entitled "An Ordinance to authorize the repaving of Fifth avenue from Liberty street to Smithfield street.

Which was read.

Mr. Boucher moved,

To postpone action until next meeting.

Which motion prevailed.

Also, from the same committee affirmatively.

[127] C. C. Entitled "An Ordinance authorizing the laying of brick sidewalks on Thirty-eighth street, from Liberty avenue to Penn avenue."

Which was read.

Mr. Aull, moved,

To lay the bill on the table.

Which motion prevailed

Also from the same committee affirmatively.

[31] C. C. Entitled "An Ordinance to repeal an ordinance entitled An Ordinance authorizing the opening of School alley from Davison street to Sherman street," passed October 9th A. D., 1871.

Which was read.

And the rule being suspended, the bill was read a second and a third time.

And on the question, "shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Boucher, Clark, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Lemer, McCafferty, McClarren, Nantker, Neeb, Nisbet, Rahausser, Rott, Robeson, Thomson, Voskamp, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee affirmatively recommended,

[130] C. C. Entitled "An ordinance authorizing the grading and paving of Exchange alley from Fourth street to Fifth street."

Also,

[128] C. C. Entitled "An Ordinance authorizing the grading, paving and curbing of Smallman street from Thirty-sixth street to Thirty-seventh street."

Also,

[129] C. C. Entitled "An Ordinance authorizing the opening of Exchange alley from Barker's alley to Seventh street."

Which were severally read, and referred to the Board of Viewers, under ordinance of December, 1875.

Also, from the same committee affirmatively.

[182½] C. C. Entitled "An Ordinance au-

thorizing the re-grading, re-paving and curbing of Virgin alley from Smithfield street to Cherry alley.

Which was read and referred to the Board of Viewers for examination and report as to whether the improvement will be of local or general benefit, or partly local and partly general, and designate the district benefitted thereby, and the proportion of the cost to be paid, &c.

Also,

[183] A report from the Viewers of Street Improvements, returning affirmatively, S. C. Bill No. 67, entitled, "An Ordinance authorizing the opening of Center street from Pearl street to Winnebiddle street."

Which was referred to the Viewers under Ordinance of December, 1875, March 27, 1876.

Which was read and received.

And Councils proceeded to the consideration of S. C. Bill No. 67, entitled "An Ordinance authorizing the opening of Center street from Pearl street to Winnebiddle street."

Which was read.

And on motion of

Mr. Fennerty,

Action was postponed for the present.

Mr. Thompson presented,

[184] A report from the Viewers of Street Improvements, returning, affirmatively, C. C. Bill No. 122, entitled, "An Ordinance authorizing the opening of Union alley from Grant street to upper line of estate of L. S. Johns, (about 105 feet south of Sherman street)," which was referred under Ordinance of Dec., 1875, March 27th, 1876.

Which was read and received.

And Council proceeded to the consideration of C. C. Bill No. 122, entitled, "An Ordinance authorizing the opening of Union alley from Grant street to upper line of estate of L. S. Johns, (about 105 feet south of Sherman street)."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Aull, Boucher, Clark, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hughes, Kerr, Kettenburg, Kirchner, McClarren, McCafferty, Nantker, Neeb, Nisbet, Rahausen, Kott, Robeson, Thompson, Voskamp, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also,

[185] Report from the Viewers of Street Improvements returning affirmatively S. C. Bill No. 68, entitled, "An Ordinance authorizing the grading paving and curbing of Center street from Pearl street to Winnebiddle street."

Which was referred under Ordinance of December, 1875, March 27th, 1876.

Which was read and received.

And Council proceeded to the consideration of S. C. Bill No. 68, entitled, "An Ordinance authorizing the grading, paving and curbing of Center street from Pearl street to Winnebiddle street."

Which was read, and on motion of

Mr. Fennerty,

Action was postponed for the present.

Also, [186].

To the Select and Common Councils of the City of Pittsburgh;

GENTLEMEN—A petition signed by property owners on Second avenue, between Smithfield street and Wood street, has been referred to Board of Viewers by your honorable bodies, in reference to repaving Second avenue between the above named streets, and requesting that the Viewers shall inquire and report to Council whether the improvement is of a local or general benefit, or partly local.

The Viewers have examined the premises, and re-

port that in the opinion of the Board the benefits are partly local and partly general, and that the property owners on each side of Second avenue, between Smithfield and Wood streets shall pay one-third of the cost of said improvement and the city of Pittsburgh two-thirds of said cost.

Respectfully submitted.

ROBERT VANDERVOORT,

JAMES CASSIDY,

M. EDWARDS,

} Viewers.

Pittsburgh, 10 April, 1876.

Which was read, received and ordered to be filed.

Also,

[187] Report of the Viewers of Street Improvements on the opening of Murray avenue from Forbes street to Forward avenue.

Which was approved.

Also,

[187½] Report of the Viewers of Street Improvements on the damages caused by the grading of Hilad avenue from Penn avenue to line of property of New Water Works.

Which was approved.

Mr. Neeb moved,

That the rule be suspended for the purpose of considering S. C. Nos. 204 and 211.

Which prevailed.

[201. S. C.] A communication from Dr. Donnelly, relative to the invitation of Dom Pedro II., Emperor of Brazil, to visit Pittsburgh on his visit to the Centennial Exhibition, &c.

In S. C. April 10th, 1876, read and filed.

In which action C. C. concurred.

[211] S. C. Resolution for the appointment of a special committee of three from Select and four from Common Councils to consider the propriety of extending an invitation to Dom Pedro II., Emperor of Brazil, to visit Pittsburgh during his sojourn in the United States.

Which in Select Council, April 10th, 1876, was read and passed.

Which was read.

Mr. Fox moved,

To refer the resolution to the Centennial Committee.

Which motion prevailed.

Mr. Fox presented.

[188] Report from the Committee on Police, covering their expenditures for the month of March, amounting to \$16,754 65.

Which was read, received and filed.

Mr. Helms presented,

[189] Report from the Committee on Monongahela Wharf, covering the receipts and expenditures for the months of January and March as follows:

Expenditures..... \$ 401 52

Receipts..... 1,000 00

Which was read, received and filed.

Mr. Fennerty Presented from Committee on

Appeals affirmatively.

[190] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for warrants for refunding over paid taxes in favor of the following named persons, and charge appropriation No. 13, Contingent Fund:

John Farnam.....\$17 40

A. M. E. Mingiss..... 12 45

Geo A. Feldung..... 22 86

Which, the rule being suspended, was read a third time and passed.

Also, from the same committee affirmatively.

No. 191. Resolved, That the City Treasurer be and is hereby directed to grant exonerations to the following persons for the amounts of over-assessed taxes, as follows:

Geo. A. Feldung, city tax.....\$11 31

Water works interest tax..... 4 34

Fire tax..... 3 26

Sinking fund tax..... 3 26

Total..... 22 17

Which, the rule being suspended, was read a third time and finally passed.

Mr. Fox presented,
[192] Resolution directing the Street Committee to contract for the erection of street signs.

Which was referred to the Committee on Streets.

Mr. Dickson presented,
[193] An Ordinance authorizing the construction of a bridge from Laurel avenue to Liberty avenue.
Which was referred to the Committee on Streets.

BUSINESS FROM SELECT COUNCIL.

Rules of order of Councils, which in Select Council, April 10th, 1876, were read and adopted and committee continued with orders to have the rules printed.

Mr. Foley moved,

To postpone action until next meeting.

Which prevailed.

And action was postponed until next meeting.

[191] S. C. Report from the Committee on Legislation, covering sundry resolutions relative to Acts of Assembly now pending.

In Select Council, March 27th, 1876, read and accepted.

In which action Common Council concurred.

[192] S. C. Resolution requesting our Representatives in the State Legislature to use every effort to secure the defeat of House Bill, No. 257, entitled "A Supplement to an Act dividing cities of this State into three classes, and providing for withdrawal of certain territory from cities of the second classes."

In Select Council, March 27th, 1876, passed.

In which action Common Council concurred

[182] S. C. Resolution for special election for member of Select Council from the Fourteenth ward.

In Select Council, March 27th, passed.

In which action Common Council concurred.

[87] S. C. An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

In Select Council, March 27th, 1876, passed.

Mr. Thomson moved,

To postpone action until the next meeting.

Which motion prevailed.

[216] S. C. A communication from the Finance Committee, covering the claim of J. J. Booth and Wm. Flinn, recommending passage of resolution, No. 145 C. C., for payment of claim.

In S. C., April 10th, 1876, read and accepted.

In which action C. C. concurred.

[145] Resolution for warrants in favor of J. J. Booth and Wm. Flinn for the sum of \$11,000 00 on account of grading, paving and curbing Adelaide street.

In S. C., April 10th, 1876, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[215] S. C. Communication from the Finance Committee, covering a resolution for payment of claim of B. Byrne for grading Sylvan avenue.

In S. C., April 10th, 1876, read and accepted.

In which action C. C. concurred.

[163] S. C. Resolution for a warrant in favor of B. Byrne for the sum of five thousand dollars (\$5,000) on account of the grading of Sylvan avenue.

In S. C., April 10th, 1876, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[214] S. C. A communication from the Finance Committee covering and recommending passage of resolution for payment of claim of C. J. Schultz, on account of construction of Four Mile Run Bridge, in S. C. April 10th, 1876, read and accepted.

In which action C. C. concurred.

[141] S. C. Resolution for a warrant in favor of C. J. Schultz for the sum of twelve thousand (\$12,000) dollars, being part payment for the cost of construction of Four Mile Run Bridge.

In S. C. April 10th, 1876, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[217] S. C. A communication from the Finance Committee covering and recommending passage of a resolution for payment of claim of P. Moran & Co. for grading of Hill street, South Side.

In S. C. April 10th, 1876, read and accepted.

In which action C. C. concurred.

[144] C. C. Resolution for a warrant in favor of P. Moran & Co. for the sum of seven thousand five hundred and twenty-three (\$7523.32) dollars, being balance due on the grading of Hill street, South side.

In S. C. April 10th, 1876, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

The Chair appointed Mr. McClarren to the Committee on Finance, Gas Lighting, Surveys and Roads.
Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, APRIL 24, 1876.

No. 15.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, April 24, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barckley, Bates, Brown (R. B.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Darlington (H.), Denniston, Duff (C. P.), Duff (J. K. F.), Epping, Evans, Felker, Fox (George), Fox (Gregor), Froelich, Geiger, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, Musgrave, McCandless, McComb, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neil (Eugene M.), O'Neil (John) Perry, Powers, Ray, Reiman, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singler, Sorg, Taylor, Waring, Welsh.

Absent—Messrs. Brown (S. S.) Dietrich, Foster, Vierheller, Weldon, Gross, Pres't.

In the absence of the President Mr. Aiken was called to preside.

A motion to dispense with the reading of the minutes prevailed.

Mr. **Musgrave** presented

[228] Certificate from the Prothonotary of the Court of Common Pleas of the election of Lewis T. Brown as a member of Select Council from the Fourteenth ward in the stead of and for the unexpired term of James B. Glass.

Which was read and approved.

And Mr. Brown, being present, took the oath of office, which was administered to him by the President.

The **President** presented,

[229] A communication from F. P. Case, Secretary of the Fire Commission, announcing the expiration of the official terms of Messrs. W. B. Hays, Jenkin Jones, and James A. Chambers as members of said Board.

Which was read and received.

Mr. **Musgrave** moved,

That the Clerk be directed to inform Common Council that Select Council would be ready to meet that body in joint session at three o'clock p. m., for the purpose of electing three persons to be members of the Board of Fire Commissioners.

Which motion prevailed, and which was done.

Mr. **Hunter** presented the following—

[230] Resolved, By the City of Pittsburgh, in Select and Common Councils assembled, That the

City Controller shall be, and he is hereby authorized to issue his certificate for a warrant in favor of Martin Joyce, for the sum of five thousand dollars, being a partial payment on the above amount of the assessments of School alley and Eleventh street sewer, and charge the same to Contingent fund.

Which was referred to the Finance Committee.

Also—

[231] Petition of the heirs of Frederick Bender, for exoneration of taxes on property in the Fourteenth ward.

Which was referred to the Committee on Appeals.

Also—

[232] Petition of P. Connolly, for refunding overpaid taxes, paid on property in the Fourteenth ward.

Which was referred to the Committee on Appeals.

Mr. **B. Darlington**—

[233] An Ordinance to authorize the repaving of Second avenue from Wood to Smithfield streets.

Which was referred to the Street Committee.

Mr. **Herron**, the following—

[234] Resolved, That the Gas Committee be and they are hereby instructed to have four additional gas lamps erected on south side of Liberty street, between Cherry alley and Eleventh street, for the better protection of citizens and the traveling public in that dangerous locality.

Referred to the Committee on Gas Lighting.

Mr. **Moore**—

[235] Petition of Lavina E. Frazier, for an abatement of taxes on property in the Eleventh ward.

Referred to the Committee on Appeals.

Mr. **Welsh**—

[236] Petition of Milton Bartley, for leave to erect an iron-clad building in the rear of Nos. 1041 and 1043 Penn avenue, Twelfth ward.

Which was referred to the Committee on Wooden Buildings.

Mr. **C. P. Duff**—

[237] Petition for a change of width of Jones avenue from fifty to forty feet between Arch street and Brereton avenue.

Which was referred to the Survey Committee.

Also,

[238] Petition for the erection of a public gas lamp at the corner of Devilier and Rose streets.

Which was referred to the Committee on Gas Lighting.

Also,

[239] Petition for refunding taxes paid in mistake by Mrs. Wm. McKibben, in the Thirteenth ward.

Which was referred to the Finance Committee.

Also, the following,

[240] Resolved, That a committee of ten (four from Select and six from Common Council) be appointed to visit Philadelphia at the opening of the Centennial Exposition, to represent this city on that occasion.

Which was read.

Mr. **Shipton** moved,

That the resolution be so amended as to in-

clude both Councils, the expense of the visit to be paid by the individual Councilmen.

Which motion prevailed.

And the resolution, as amended, passed.

Mr. **MacConnell** presented—

[241] A remonstrance against the construction of a sewer on Mill alley.

Which was referred to the Road Committee,

Mr. **Denniston**—

[242] A petition for the construction of a public weigh-scales on Lincoln avenue near Leamington street.

Which was referred to the Finance Committee.

Mr. **McClurg**—

[243] Petition for the erection of public gas lamps, as follows: One on Jane street, at crossing of P. V. & C. R. R., and one corner Twenty-eighth and Moony streets.

Which was referred to the Committee on Gas Lighting.

Mr. **McCombs**—

[244] Petition of J. D. Negley for privilege to erect a weigh-scale on Carson street.

Which was referred to the Street Committee.

Mr. **Musgrave**—

[245] Report from the Market Committee announcing award of contracts for whitewashing market houses to J. W. Smith, at \$108, and repaving the Diamond Square to N. M. McDowell, at \$3.50 per square yard.

Which was read.

Mr. **Musgrave** moved,

That the report be approved.

On which motion the ayes and noes were demanded by Mr. B. Darlington, and the demand being sustained, were ordered to be taken, and, being taken, were as follows—

Ayes—Messrs. Aiken, Buckley, Carr, Duff (C. P.), Epping, Evans, Geiger, Hunter, Kernan, Moore, Musgrave, MacConnell, McGimpsey, Negley, O'Neill (E. M.), Perry, Ray, Schild, Welsh—19.

Noes—Messrs. Ahl, Atkinson; Barckley, Bates, Brown (R. B.), Brown (L. T.), Dannels, Denniston, Duff (J. K. P.), Felker, Fox (George) Fox (Gregor), Froelich, Goldthorp, Hayden, Herron, Holliday, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Meyer, McCombs, McClurg, McKinley, Nusser, O'Neill (Jno.), Powers, Reiman, Rodgers, Rolf, Sawyer, Schwarm, Shipton, Singlerly, Sorg, Taylor, Waring—39.

So the motion did not prevail.

Mr. **Holliday** moved,

That the report be recommitted.

Which motion prevailed.

Also—

[246] Resolved, by the Select and Common Councils of the City of Pittsburgh, That the Board of Fire Commissioners be and are hereby directed and required, from time to time, on requisition by the Market Committee to furnish to the Superintendent of Markets, such sections of condemned hose as may be required for the purpose of cleaning Market Squares and Market Houses. Said requisition being a voucher for the hose thus expended.

Which, the rule being suspended, was read three times and passed.

Mr. **Sorg**, from the Committee on Wooden Buildings, reported, with an affirmative recommendation,

C. C. Bill No. 119, entitled "An Ordinance granting McConway, Torley & Co. right to erect an addition to an iron-clad building.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Ahl, Aiken, Barckley, Brown (R. B.), Brown (L. T.), Carr, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Duff (J. K. P.), Epping, Felker, Fox (George), Fox (Gregor), Froelich, Geiger, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman,

Lappan, Meyer, Moore, Murray, McCandless, McCombs, MacConnell, Mr. Jurg, McGimpsey, McKinley, Negley, Nusser, O'Neill (Eugene M.), O'Neill (John), Perry, Powers, Ray, Reiman, Rolf, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Welsh—54.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Shipton**—

[248] A report from the Committee on Gas Lighting, covering a statement of expenditures for the quarter ending April 1st, viz., East End Gas Co., \$5,500.14; South Side Gas Co., \$3,068.01; West Pittsburgh Gas Co., \$2,343.70.

Which was read and accepted.

Also,

From the same committee, affirmatively, the following—

[249] Resolved, That the Pittsburgh Gas Company be authorized to erect public gas lamps as follows:

One corner Townsend and Wilson streets; one corner Reed and Overhill streets.

Which was read.

Mr. **Singerly** moved,

To amend by adding, "and three in Second avenue Park."

Which did not prevail.

And the resolution, the rule having been suspended, was read a third time and passed.

Also,

From the same committee, affirmatively, the following—

[250] Resolved, That so much of S. C. No. 185, a resolution authorizing the erection of public gas lamps by the East End Gas Company, passed by Select Council March 27th, 1878, as provides for the erection of five gas lamps on Stanton avenue, between Hilland avenue and St. Clair street, to be taken from Hilland avenue, be and the same is hereby repealed.

Which, the rule having been suspended, was read three times and passed.

The hour of three o'clock having arrived, Select Council proceeded to the Common Council Chamber and there met Common Council in

JOINT SESSION,

for the purpose of electing three persons to be members of the Board of Health.

And being so met,

The oath of office was administered to the City Clerk and Assistant City Clerk elect, by Mr. Aiken, President *pro tempore* of Select Council.

And Councils proceeded to said election.

Mr. **Musgrave** nominated John Boyd.

Mr. **Froelich** nominated William Coates.

Mr. **Taylor** nominated Wm. Smith.

Mr. **Boucher** nominated J. W. Douglass.

Mr. **Holliday** nominated W. N. Erwin.

Mr. **Epping** nominated Wm. Woods.

Mr. **MacConnell** nominated P. D. Perchment.

Mr. **Coll** nominated John L. Gribben.

Mr. **Dannels** nominated William B. Hays.

Mr. **J. Kerr** nominated Jenkin Jones.

Mr. **Aull** nominated J. T. Wilson.

Mr. **McGimpsey** objected to the nomination of Wm. B. Hays, on the ground that he had no residence in the city of Pittsburgh.

Mr. **Foley** moved,

That Mr. Hays be allowed to make an explanation.

President Negley, of Common Council ruled,

That the law gives the Councils the right to hear any private citizen by petition only, therefore the motion was not in order.

And the result of the voting was as follows—

For Wm. B. Hays—

Messrs. Ahl, Aiken, Atkinson, Bates, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Dannels, Darlington (H.), Duff (C. P.), Epping, Evans, Felker,

Froelich, Hayden, Herron, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Lappan, Littell, Moore, McCandless, McClurg, Nusser, O'Neil (John), Powers, Rodgers, Sawyer, Schild, Shipton, Singerly, Sorg, Waring.

For Wm. Coates—

Messrs. Ahl, Aiken, Barclay, Brown (R. B.), Brown (L. T.), Duff (C. P.), Duff (J. K. P.), Evans, Froelich, Geiger, Hayden, Hunter, Kennedy, Lappan, Littell, Meyer, Moore, Murray, MacCunnell, McGimpsey, Negley, O'Neil (E. M.), Perry, Powers, Ray, Reiman, Rolf, Sawyer, Schild, Singerly, Sorg, Waring.

For W. N. Erwin—

Messrs. Atkinson, Bates, Brown (R. B.), Buckley, Bruce, Darlington (B.), Denniston, Duff (J. K. P.), Epping, Felker, Fox (Gregor), Geiger, Goldthorp, Holliday, Hunter, Kennedy, Kernan, Musgrave, MacConnell, McClurg, McGimpsey, Negley, O'Neil (E. M.), O'Neil (Jno.), Perry, Rodgers, Schild, Schwarm, Singerly, Welsh.

For Jenkin Jones—

Messrs. Atkinson, Bates, Carr, Dannals, Duff (J. K. P.), Herron, Holliday, Jeremy, Kerr, McCombs, Nusser, Schwarm, Sorg.

For John L. Gribben—

Messrs. Ahl, Brown (L. T.), Darlington (H.), Fox (George), Lagerman, Lappan, Reiman, Taylor.

For John Boyd—

Messrs. Barclay, Bruce, Darlington (H.), Denniston, Fox (George), Hayden, Holliday, Jeremy, Kernan, Moore, Murray, Musgrave, McCandless, McCombs, McGimpsey, McKinley, Nusser, O'Neil (Jno.), Perry, Powers, Ray, Reiman, Rodgers, Schwarm, Shipton, Waring.

For P. D. Parchment—

Messrs. Barclay, Buckley, Darlington (B.), Duff (C. P.), Evans, Fox (George), Lagerman, Murray, Musgrave, McCandless, MacConnell, Negley, Rolf, Taylor.

For William Smith—

Messrs. Fox (George), Meyer, McKinley, Shipton, Taylor.

For J. W. Douglass—

Messrs. Felker, Geiger, Goldthorp, Kernan, Meyer, McCombs, Rolf.

For Wm. Woods—

Messrs. Aiken, Carr, Dannals, Darlington (B.), Epping, Fox (Gregor), Froelich, Goldthorp, Herron, Kerr, McClurg, McKinley, O'Neil (E. M.), Ray, Sawyer, Welsh.

For John T. Wilson—

Messrs. Denniston, Littell, Welsh.

Before the announcement of the result,

Mr. Ahl asked and obtained leave to change his vote from Gribben to Boyd.

Mr. Aiken from Woods to Erwin.

Mr. Bates from Jones to Coates.

Mr. Brown (L. T.) from Gribben to Erwin.

Mr. Buckley from Parchment to Coates.

Mr. Carr from Woods to Erwin.

Mr. Darlington (B.) from Woods to Coates.

Mr. Darlington (H.) from Gribben to Coates.

Mr. Evans from Parchment to Erwin.

Mr. Fox (George) from Gribben to Erwin.

Mr. Goldthorp from Douglass to Coates.

Mr. Herron from Jones to Coates, and from Woods to Erwin.

Mr. Jeremy from Jones to Coates.

Mr. Lappan from Gribben to Boyd.

Mr. Littell from Wilson to Erwin.

Mr. Meyer from Smith to Erwin.

Mr. McCombs from Douglass to Erwin, and from Jones to Coates.

Mr. Rolf from Parchment to Erwin.

Mr. Sawyer from Woods to Erwin.

Mr. Schwarm from Jones to Hays.

Mr. Taylor from Gribben to Erwin.

Mr. Boucher from Boyd to Hays.

Mr. Coll from Woods to Coates.

Mr. Fox (John A.) from Hays to Erwin.

Mr. Fritz from Jones to Coates.

Mr. Hogle from Parchment to Coates.

Mr. Hughes from Douglass to Erwin.

Mr. Mears from Gribben to Coates.

Mr. McClarren from Woods to Erwin.

Mr. McCafferty from Gribben to Coates.

Mr. Nantker from Jones to Coates, and from Douglass to Erwin.

Mr. Nishett from Douglass to Erwin.

Mr. Powers from Gribben to Boyd.

Mr. Both from Woods to Coates.

And the result of the voting was as follows ;

W. B. Hays received 62 votes.

Wm. Coates received 63 votes.

John L. Gribben received 5 votes.

William Woods received 19 votes.

William N. Erwin received 66 votes.

Jenkin Jones received 12 votes.

John Boyd received 47 votes.

P. D. Parchment received 26 votes.

J. T. Wilson received 3 votes.

J. W. Douglass received 8 votes.

William Smith received 7 votes.

And Wm. B. Hays, William Coates and Wm. N. Erwin were declared duly elected members of the Board of Fire Commissioners for the ensuing term.

And the business of the Joint Session being over, SELECT COUNCIL returned to its own chamber.

Mr. Shipton, from the Committee on Gas Lighting, presented, with an affirmative recommendation, the following—

[251] Resolved, That the East End Gas Company be and are hereby authorized and directed to erect public gas lamps at the following points : One corner Railroad and Centre streets; one on Centre street south of Railroad street; two on Taylor street, to wit: one corner Isabella street and one between Liberty and Isabella streets; one at each end Shady Lane R. R. bridge; one corner Mary and Fortieth streets; one corner Woollsey's alley and Fortieth street, and one on Woollsey's alley, two hundred and fifty feet west of Fortieth street.

Which, the rule having been suspended, was read a third time and passed.

Mr. Littell, by leave, the following—

[252] Resolved, That the City Controller be and is hereby authorized to issue his certificate on the Mayor for a warrant in favor of N. H. Sims for fifteen dollars for salary as Page of Select Council.

Which, the rule having been suspended, was read three times and passed.

Mr. Kerr, from the Ordinance Committee, affirmative, as amended in committee.

S. C. Bill No. 186, entitled, "An Ordinance relating to the Sale of Merchandise in the City of Pittsburgh."

Which was read.

Mr. Hunter moved,

To amend by increasing the fines provided to be collected in Section 2, as follows : For refusal or neglect to take out a license to twenty-five dollars, and for refusal to exhibit license when called on to twenty dollars.

Which motion prevailed.

And the bill was so amended.

Mr. Bruce moved,

To amend Section 1 by the insertion of the words, "in the city of Pittsburgh," after the words, "not having a permanent place of business."

Which motion prevailed.

And the bill was so amended.

Mr. Dannals moved,

To recommit the bill, as amended, to the Ordinance Committee.

Which motion did not prevail.

THE FOLLOWING BUSINESS FROM C. C. WAS TAKEN UP—

Reports from the Board of Viewers of Street Improvements, to wit—

187 C. C. On the damages caused by the

opening of Murray avenue from Forbes street to Forward avenue.

In C. C. approved.
1873 C. C. On the damages caused by the grading of Highland avenue from Penn avenue to property of New Water Works.

In C. C. approved.
Which were severally approved.
C. C. Bill 124, entitled "An Ordinance authorizing the grading of Bluff street from Shingiss street to Marion street.

In C. C. passed finally.
Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Bruce, Carr, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Duff (J. K. P.), Fox (George), Goldthorp, Hayden, Herron, Hunter, Jeremy, Kennedy, Kerr, Lappan, Littell, Moore, Murray, Musgrave, McCandless, MacConnell, McClurg, McKinley, Negley, Nusser, O'Neill (Eugene M.), O'Neill (John), Ray, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Waring, Welsh—41.

Noes—None.
And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 159, entitled, "An Ordinance vacating Collins avenue, from Stanton avenue to Graff street.

In C. C. passed finally.
Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Aiken, Barclay, Bates, Brown (L. T.), Bruce, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Duff (J. K. P.), Fox (George), Goldthorp, Hayden, Herron, Hunter, Jeremy, Kennedy, Lappan, Littell, Moore, Murray, Musgrave, McCandless, MacConnell, McKinley, Negley, Nusser, O'Neill, Eugene M.), O'Neill (John), Ray, Reiman, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Waring, Welsh—42.

Noes—None.
And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

S. C. Bill No. 80, entitled, "An Ordinance locating Station street from Frankstown avenue to Denniston avenue.

In C. C. passed finally.
Which was read.

Mr. MacConnell moved,
To amend the title of the bill to read, "An Ordinance locating Station street from Frankstown avenue to Penn avenue."

Which motion prevailed, and the title of the bill was so amended.

The President presented
[253] A report from the Board of Viewers of Street Improvements, returning to Councils C. C. Bill No. 40, entitled, "An Ordinance authorizing the construction of a sewer on the property of Michael McCullough, from the end of the present sewer on Forty-second street, for a distance of twenty (20) feet," and stating that the cost of the sewer could be collected from property on Davidson street, between Forty-second and Forty-third streets.

The report was read and accepted.
And action on the bill was postponed.
Mr. Sawyer, by leave, the following—

[254] Resolved, That the Street Committee be and are hereby instructed to ascertain to whom the street leading from the Sharpsburg bridge to Butler street belongs, and to ascertain if an arrangement can be made to have the same put in good order and properly lighted.

Which was referred to the Street Committee.

Mr. Shipton, by leave, the following—
[255] Resolved, by the Select and Common Councils of the city of Pittsburgh, That our Representatives in the Legislature be requested to oppose Bill No. 318, "Senate File," having for its object the extension of time for the payment of municipal liens for street improvements.

Which was read.
Mr. Bruce moved.
That Council adjourn.

On which motion a division was had, and there were seventeen ayes and seventeen noes.
So the motion did not prevail.

Mr. Duff (C. P.) moved a call of the house.
Which was ordered.

The call being made, the following members answered to the roll.

Ayes—Messrs. Aiken, Barclay, Bates, Brown (L. T.), Bruce, Dannels, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Eva is, Fox (George), Goldthorp, Hayden, Hunter, Kennedy, Lappan, Littell, Moore, Murray, Musgrave, McCandless, McKinley, Negley, Nusser, O'Neill (Eugene M.), Reiman, Rodgers, Rolf, Schild, Schwarm, Shipton, Singlerly, Sorg, Taylor, Waring—35.

And there being no quorum,
Council was declared adjourned.

attest E. D. MORRISON

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, April 24, 1876.

Council met.
Present—Atcheson, Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClaren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Negley, Pres't.

Absent—Mr. Wainwright.
On motion of Mr. Neeb, reading of the minutes was dispensed with.

The Chair presented,
229, S. C. A communication from the Board of Fire Commissioners, announcing the expiration of the term of office of Wm. B. Hays, Jenkin Jones and James A. Chambers, members of said Board.

Which in S. C. this day was read and received, and the hour of three o'clock p. m. fixed for Joint Session, for the purpose of electing three persons to be members of said board.

I, which action C. C. concurred.
Mr. Flinn presented,

[194] Petition for the opening of Reed street, from Overhill street to Dinwiddie street.
Which was referred to the Committee on Streets.

Also,
[195] Petition for the extension of the sewer on Soho run, between Fifth avenue and Forbes street. Referred to the Committee on Roads.

Mr. Roth,
[196] Petition for public gas lamp at the corner of Railroad and Twenty-first streets.

Referred to Committee on Gas Lighting.
Mr. Fox,

[197] Petition of John Bradley for damages caused by the re-grading of Forty-fourth street, Seventeenth ward.

Referred to the Committee on Finance.

Mr. **Hahn**,
[198] Petition of the Trustees of the German Evangelical Church of Birmingham, Twenty-sixth ward, for refunding of taxes paid on parsonage.

Referred to Committee on Finance.

Mr. **Conway**,
[199] Memorial of citizens of the Twenty-sixth ward, relative to the condition of Josephine street occupied by the P. V. & C. Railway.

Referred to Committee on Streets.

Also,
[200] Memorial of citizens of the Twenty-seventh, Twenty-eighth and Twenty-ninth wards relative to the condition of Manor street occupied by the tracks of the P. V. & C. Railway.

Referred to the Committee on Streets.

Mr. **Nantker**,
[201] Petition of Maria Yager, for privilege to erect a frame addition to a brick house on Carson street, between Third and Fourth streets.

Referred to Committee on Wooden Buildings.

Also,
[202] Resolution for the removal of weigh-scales from the sidewalk on Carson street, Thirtieth ward.

Referred to Committee on Streets.

Mr. **Neeb**,
[203] Resolution for a public gas lamp at the corner of Cherry and Virgin alleys.

Referred to Committee on Gas Lighting.

Mr. **Aull**,
[204] Resolution for a warrant in favor of A. H. Miller, Executor of John Aiken, deceased, for the sum of \$281.06, for refunding of taxes paid upon property taken by Forbes street.

Referred to Committee on Finance.

Mr. **Fox**,
[205] Report from the Committee on Centennial Celebration, recommending that an invitation be extended to Dom Pedro, Emperor of Brazil, to visit Pittsburgh during his tour through the United States.

Also, recommending the celebration of the opening of the Centennial Exhibition on the 10th of May by the ringing of the fire-alarm, school and church bells from 11:40 a. m. to 12 m. of that day, and by firing a salute by Hutchinson's Battery.

Which was read, received and adopted.

Mr. **Aull** presented,
[206] Report of Viewers of Street Improvements on the construction of a sewer on Brady street, from Second avenue to the Monongahela river.

Which was approved.

Also,
[207] An ordinance establishing the grade of Second street from Penn avenue to Duquesne Way.

Also,
[208] An ordinance establishing the grade of Fort street from Penn avenue to Duquesne Way.

Also,
[209] An ordinance establishing the grade of Green alley from Penn avenue to Duquesne Way.

Also,
[210] An ordinance establishing the grade of Duquesne Way from Fifth street to Sixth street.

Also,
[211] An ordinance establishing the grade of Duquesne Way from First street to a point 273.88 feet west of west line of Point alley.

Also,
[211½] An ordinance establishing the grade of First street from Penn avenue to Duquesne Way.

Which were severally referred to the Committee on Streets.

Also,
[212] To the Select and Common Councils of the City of Pittsburgh:

GENTLEMEN—A petition signed by property holders on Virgin alley has been referred to Board of Viewers by your Honorable Bodies, in reference to re-grading, paving and curbing of Virgin alley from Smithfield street to Cherry alley. The Viewers, acting under

the Ordinance of December, 1875, and act of Assembly, went on the premises in order to ascertain whether the improvement is of a local or general benefit, or partly local. The Viewers are of the opinion that the benefits are partly local and partly general, and that the property owners between Smithfield street and Cherry alley shall pay three-fourths of the cost of the improvement and the city of Pittsburgh one-fourth and in the opinion of the Board there is property sufficient to pay for three-fourths of construction.

Respectfully submitted,

ROBERT VANDEVOORT,
JAMES CASSIDY,
M. EDWARDS,

Viewers.

Pittsburgh, April 24th, 1876.

Which was read, received and ordered to be filed.

Also,
[213] To the Select and Common Councils of the city of Pittsburgh:

GENTLEMEN—Agreeably to the Ordinance of December, 1876, an ordinance from your Honorable Bodies has been referred to Viewers to ascertain whether property can be found to pay for the grading and paving of Exchange alley from Fourth street to Fifth street.

The Viewers would state that they have examined the premises, and find that Exchange alley is only opened from Fourth street to Evans alley, and report that the cost of doing the work proposed can be collected from the property abutting, viz: from Fourth street to Evans alley.

Respectfully submitted

ROBERT VANDEVOORT,
JAMES CASSIDY,
M. EDWARDS,

Viewers.

Pittsburgh, April 24th, 1876.

Which was read, received and ordered to be filed.

Also,
[214] A Report from the Viewers of Street Improvements returning, with an affirmative answer C. C. Bill No. 129, entitled "An Ordinance authorizing the opening of Exchange alley from Barker's alley to Seventh street."

Which was referred to them for examination under Ordinance of December, 1875, April 10th, 1876.

Which was read, received and filed.

Also,
[215] A Report from the Viewers of Street Improvements, returning, with an affirmative answer, C. C. Bill No. 128, entitled, "An Ordinance authorizing the grading, paving and curbing of Smallman street from Thirty-sixth street to Thirty-seventh street."

Which was referred to them for examination under Ordinance of December, 1875, April 10th, 1876.

Which was read, received and ordered to be filed.

Also,
[216] Report of the Committee on City Printing, announcing the award of contracts as follows: Printing Controller's Report to Moore & Nesbit; printing Council Files to Stevenson & Foster; printing Municipal Record to Stevenson & Foster; Miscellaneous Printing to W. F. Walker.

Which was read, received and approved.

Mr. **Robeson** presented,
[217] An Ordinance authorizing the grading, paving and curbing of Harrison street from Fifth street to Fifty-second street.

Which was referred to the Committee on Streets.

Also,
[217] An Ordinance authorizing the opening of Harrison street from Fiftyeth street to Fifty-second street.

Which was referred to the Committee on Streets.

UNFINISHED BUSINESS.

Rules of Order.
Which were read.

Mr. **Aull** moved,
To amend by striking out of Section 3 of Rule 6 the words, "signed by a majority of the members," and insert the words, "signed by the Chairman and Clerk thereof."

Which, on a division being had, did not prevail, by a vote of 14 for to 22 against.

Mr. **Neeb** moved,
To amend by adding after the word "committees," in line 1, Section 7, of Rule 6, the words, "on the award of all contracts and," and by adding the words, "on any other question," to the end of said section.

Which prevailed.

Mr. **Boucher** moved,
To amend by adding to the end of Section 9 of Rule 4 the words, "And in all cases where a bill has passed finally, it shall require as many votes to reconsider as it required by law to pass the same."

Which, on a division being had, did not prevail, by a vote of 12 for to 18 against.

And on motion the Rules of Order, as amended, were adopted.

The hour of 3 o'clock p. m. having arrived, and it being the time fixed for meeting in Joint Session for the purpose of electing three persons to serve as members of the Board of Fire Commissioners,

Select Council was introduced, and met with Common Council in

JOINT SESSION,

for that purpose.

And being so met,
The oath of office was administered to the City Clerk and Assistant City Clerk elect, by Mr. Aiken, President pro tempore of Select Council.

And Councils proceeded to said election, and
Mr. **Musgrave** nominated John B. yd.
Mr. **Froelich** nominated Wm. Coates.
Mr. **Taylor** nominated Wm. Smith.
Mr. **Boucher** nominated J. W. Douglass.
Mr. **Holliday** nominated W. N. Erwin.
Mr. **Epping** nominated Wm. Woods.
Mr. **MacConnell** nominated P. D. Perchment.
Mr. **Coll** nominated John L. Gribben.
Mr. **Dunnels** nominated Wm. B. Hays.
Mr. **J. Kerr** nominated Jenkin Jones.
Mr. **Aull** nominated J. T. Wilson.

Mr. **McGimpsey** objected to the nomination of Wm. B. Hays, on the ground that he had no residence in the city of Pittsburgh.

Mr. **Foley** moved,
That Mr. Hays be allowed to make an explanation.

President **Negley**, of Common Council, ruled.

That the law gives the Councils the right to hear any private citizen, by petition only; therefore the motion was out of order.

And the result of the voting was as follows:

For W. B. Hays—

Messrs. Clark, Coll, Conway, Dauler, Flinn, Fox, Fritz, Ferson, Foley, Hogle, Kettenberg, Kirchner, Laughran, Lemer, Mears, McClarren, Nisbet, Powers, Rahausen, Reynolds, Roth, Rott, Voskamp.

For Wm. Coates—

Messrs. Atcheson, Boucher, Clark, Dickson, Dauler, Flinn, Fox, Hagan, Kettenburg, Moore, Neeb, Nisbet, Powers, Roth, Torrence, Negley.

For John L. Gribben—

Messrs. Coll, Fennerty, Hagan, Mears, McCafferty, Powers.

For Wm. Woods—

Messrs. Coll, Fritz, Fennerty, Foley, Helmsold, McClarren, Neeb, Roth, Thompson, Torrence,

For W. N. Erwin—

Messrs. Atcheson, Aull, Dickson, Fennerty, Ferson, Foley, Hahn, Hagan, Hogle, Kirchner, Lemer, Mears, Moore, McCafferty, Nantker, Neeb, Rahausen, Roth, Thomson, Torrence, Negley.

For Jenkin Jones—

Messrs. Conway, Fritz, Hahn, Hughes, Kirchner, Nantker.

For John Boyd—

Messrs. Bell, Boucher, Clark, Conway, Dauler, Flinn, Hahn, Helmsold, Hughes, Kerr, Kettenberg, Laughran, Lemer, Moore, Nantker, Reynolds, Rott, Robeson, Voskamp.

For P. D. Perchment—

Messrs. Atcheson, Aull, Bell, Dickson, Fox, Ferson, Helmsold, Hogle, Kerr, McClarren, Rahausen, Reynolds, Robeson, Thomson, Voskamp, Negley.

For John T. Wilson—

Mr. Aull.

For J. W. Douglass—

Messrs. Boucher, Hughes, Kerr, Laughran, Nantker, Nisbet.

For Wm. Smith—

Messrs. Bell, McCafferty, Robeson.

Before the announcement of the result,

Mr. **Ahl** asked and obtained leave to change his vote from Gribben to Boyd.

Mr. **Aiken** from Woods to Erwin.

Mr. **Bates** from Jones to Coates.

Mr. **Brown (T. B.)** from Gribben to Erwin.

Mr. **Buckley** from Perchment to Coates.

Mr. **Carr** from Woods to Erwin.

Mr. **Darlington (B.)** from Woods to Coates.

Mr. **Darlington (H.)** from Gribben to Coates.

Mr. **Evans** from Perchment to Erwin.

Mr. **Fox (Geo.)** from Gribben to Erwin.

Mr. **Goldthorp** from Douglass to Coates.

Mr. **Herson** from Jones to Coates and from Woods to Erwin.

Mr. **Jeremy** from Jones to Coates.

Mr. **Lappan** from Gribben to Boyd.

Mr. **Littell** from Wilson to Erwin.

Mr. **Meyer** from Smith to Erwin.

Mr. **McCombs** from Douglass to Erwin and from Jones to Coates.

Mr. **Rolfe** from Perchment to Erwin.

Mr. **Sawyer** from Woods to Erwin.

Mr. **Schwarm** from Jones to Hays.

Mr. **Taylor** from Gribben to Erwin.

Mr. **Boucher** from Boyd to Hays.

Mr. **Coll** from Woods to Coates.

Mr. **Fox (John A.)** from Hays to Erwin.

Mr. **Fritz** from Jones to Coates.

Mr. **Hogle** from Perchment to Coates.

Mr. **Hughes** from Douglass to Erwin.

Mr. **Mears** from Gribben to Coates.

Mr. **McClarren** from Woods to Erwin.

Mr. **McCafferty** from Gribben to Coates.

Mr. **Nantker** from Jones to Coates and from Douglass to Erwin.

Mr. **Nesbit** from Douglass to Erwin.

Mr. **Powers** from Gribben to Boyd.

Mr. **Roth** from Woods to Coates.

And the result of the voting was as follows:

Wm. B. Hays received 62 votes.

Wm. Coates received 63 votes.

John L. Gribben received 5 votes.

Wm. Woods received 19 votes.

Wm. N. Erwin 46 votes.

Jenkin Jones received 12 votes.

John B. yd received 47 votes.

P. E. Perchment received 26 votes.

John T. Wilson received 3 votes.

J. W. Douglass received 8 votes.

Wm. Smith received 8 votes.

And Wm. B. Hays, William Coulter and Wm. N. Erwin, were declared duly elected members of the Board of Fire Commissioners for the ensuing term.

And the business of the joint session being over, Select Council returned to their own chamber.

Business from Select Council.

[120] C. C., entitled "An Ordinance authorizing the assessment of the damages and benefits caused by the grading of Lincoln avenue from Frankstown avenue to the city line.

Which in S. C. April 10th, 1876, was passed finally.

Which was read.

And the rule being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, Morrison, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Robeson, Torrence, Voskamp, Negley, Pres't—40.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[227 S. C.] Resolution for a special election for members of Select Council in the Twenty-ninth ward to fill vacancies.

In S. C., April 10th, 1876, passed finally.

In which action C. C. concurred.

[221 S. C.] A Report from the Committee on City Property, covering awards of contracts for making paper case and screen for City Assessor's office, and repairing roof of Nineteenth ward Station House.

In S. C., April 10th, 1876, read and approved.

In which action C. C. concurred.

[222 S. C.] Report of the Committee on Markets for month of March.

In S. C., April 10th, 1876, read and accepted.

In which action C. C. concurred.

[224 S. C.] Report from Committee on Wooden Buildings.

In S. C., April 10th, 1876, read and accepted.

In which action C. C. concurred.

[225 S. C.] Report of the Committee on Allegheny Wharf for month of March.

In S. C., April 10th, 1876, read and accepted.

In which action C. C. concurred.

[246 S. C.] Resolution requiring the Fire Commission to furnish condemned hose to the Market Committee.

In S. C., April 24th, 1876, passed finally.

In which action C. C. concurred.

[226 S. C.] Report of the Committee on Roads for the months of January, February and March.

In S. C., April 10th, 1876, read and accepted.

In which action C. C. concurred.

[220 S. C.] Report from the Committee on City Property for the month of March.

In S. C., April 10th, read and accepted.

In which action C. C. concurred.

[219 S. C.] Report from the Committee on Water for the month of March.

In S. C., April 10th, read and accepted.

In which action C. C. concurred.

[188 S. C.] Report of the Committee on Gas Lighting for the month of March.

In S. C., March 27th, read and accepted.

In which action C. C. concurred.

[194 S. C.] Resolution requesting our representatives in the Legislature of Pennsylvania to use every effort to secure the passage of the "Act providing for the classification of real estate for the purpose of taxation and for the appointment of assessors in cities of the second class."

In S. C., March 27th, passed finally.

Which was read.

Mr. Thomson moved,

That as a substitute for the bill recommended a bill to repeal the third section of the Equalization Act of 1872 be prepared and transmitted to Harrisburg, with a recommendation for its passage.

Mr. Fox moved,

To refer the resolution and bill back to the Committee on Legislation.

Which, on a division being had, prevailed, by a vote of 22 for to 8 against.

[185 S. C.] Resolution for the erection of public gas lamps by the East End Gas Company.

In S. C., March 27th, passed finally.

Which, the rule being suspended, was read a third time and passed.

[186 S. C.] Resolution for the erection of public gas lamps by the South Side Gas Company.

In S. C., March 27th, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[187 S. C.] Resolution for the erection of public gas lamps by the Pittsburgh Gas Company.

In S. C., March 27th, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[183 S. C.] Report of the Committee on Markets, announcing the award of a contract for market house doors.

In S. C., March 27th, read and approved.

In which action C. C. concurred.

[240 S. C.] Resolved, That Select and Common Councils visit Philadelphia at the opening of the Centennial Exposition, to represent this city on that occasion, at their own expense.

In S. C., April 24th, passed finally.

Which was read.

Mr. Hughes moved,

To lay the resolution on the table.

Which, on a division being had, the motion prevailed, by a vote of 15 for to 10 against.

And the resolution was laid on the table.

S. C. Resolution for a warrant in favor of W. H. Sims, for the sum of fifteen dollars, for services as page to Select Council.

In S. C., April 24th, passed finally.

Which, the rule being suspended, was read a third time and passed.

[208 S. C.] Resolution directing the Finance Committee to purchase a full set of the Pamphlet Laws of Pennsylvania, to be placed in the City Attorney's Office.

In S. C., April 10th, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[196 S. C.] Resolution requesting our representatives in the Legislature of Pennsylvania to secure the passage of House Bill No. 177, "An Act repealing an Act to regulate the election of School Directors in sub-districts in the city of Pittsburgh."

In S. C., March 27th, passed finally.

In which action C. C. concurred.

[193 S. C.] Resolution requesting our Representatives in the Legislature of Pennsylvania to secure the passage of House Bill No. 340, "An Act relative to purchase, by cities of the second class, of turnpikes and plank-roads within the limits of such cities."

In S. C., March 27th, passed finally.

In which action C. C. concurred.

[197 S. C.] Resolution requesting our representatives in the Legislature of Pennsylvania to secure the passage of House Bill No. 391, a supplement to an Act dividing cities of this Commonwealth into three classes, &c.

In S. C., March 27th, passed finally.

In which action C. C. concurred.

Mr. Foley moved,

That the petition (No. 114 C. C.) of Edward McDermot, for privilege to erect a frame building, returned with a negative recommendation, be referred back to Committee on Wooden Buildings.

Which prevailed.

[87 S. C.] An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

In S. C., March 27th, passed finally.

Which was read, and the rule was suspended.

Mr. Thomson moved,

To amend by striking out the words "traversed by the pipes of said Company," and inserting in lieu thereof the words, "in which said Company have now the legal right to lay their pipes," after the word "city," on line eleven.

Which prevailed,

Mr. **McClarren** moved,
To amend by striking out the word "fifteen,"
and insert in lieu thereof the word "five" on line 12.
Which prevailed.

Mr. **Boucher** moved,
To amend by striking out of line 12 the words,
"or until the expiration of the present charter of said
Company."

Which prevailed.
Mr. **Boucher** moved.
To further amend by striking out the word
"purchase," and insert in lieu thereof the word "pro-
cure," on line 18.
Which prevailed.
On motion adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, MAY 8, 1876.

No. 16.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, May 8th, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Barkley, Brown (R. B.), Brown (Samuel S.), Brown (L. T.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Dietrich, Duff (C. P.), Epping, Evans, Fox (George), Froelich, Geiger, Hayden, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neil (John) Powers, Ray, Reiman, Rodgers, Rolf, Sawyer, Schwarm, Shipton, Sorg, Taylor, Vierheller, Weldon, Welsh,

Absent—Messrs. Atkinson, Bates, Darlington (H.), Denniston, Duff (J. K. P.), Felker, Foster, Fox (Gregor), Goldthorp, Herron, Musgrave, Nusset, Perry, Schild, Singlerly, Waring, Gross, Pres't.

The minutes of the last meeting were read and approved.

Mr. O'Neill (E. M.), by leave, called up C. C. No. 167. Resolution for the appointment of a Special Committee of three from Common Council and two from Select Council to confer with the authorities of Allegheny City relative to the connection of the water works of both cities.

In C. C. passed, and Messrs. Neeb, Fox and Hughes appointed on part of Common Council,

And moved,

To concur.

Which motion prevailed.

And Messrs. E. M. O'Neill, and B. Darlington were appointed on the part of Select Council.

Mr. Moore presented,

[256] A petition for the erection of a public gas lamp on Davis street, Eleventh ward

Referred to Committee on Gas Lighting.

Mr. Brown (L. T.),

[257] An Ordinance authorizing the assessment of damages and benefits caused by the change of grade of Madison street from Fifth avenue to Forbes street.

Which was referred to the Road Committee.

Also,

[258] Petition of Wm. McAdams, for the assessment of the benefits and damages caused by the change of grade of Madison street.

Which was referred to the Road Committee.

Also,

[259] Petition of McGinniss & Miller, for the exoneration of erroneously assessed business tax.

Which was referred to the Finance Committee.

Mr. Littell,

[260] A petition for the payment of the bill for services of the viewers appointed by Court in the matter of the opening of Thirty-third street.

Which was referred to the Finance Committee.

Also,

[261] Remonstrance against the opening of Larimer avenue from Hill street to Frankstown avenue.

Which was referred to the Road Committee.

Mr. Bruce,

[262] A petition for the opening of Moore street, between Bedford avenue and Arch street.

Which was referred to the Road Committee.

Also,

[263] A petition from the citizens and taxpayers of the East End, asking Council to take immediate action in regard to the present condition of the Penn avenue railroad bridge and approaches to the same.

Which was read and accepted.

Also, the following:

[264] Resolved, That the petition relating to the bridge on Penn avenue be referred to a special committee of five, (two from Select and three from Common Council) whose duty it shall be to report the reason why the said bridge has not been taken from the Pennsylvania railroad, and what action should be taken in regard to the same.

Which was read and passed, and Messrs. Bruce and Littell appointed on the part of Select Council.

Mr. Evans—

[265] Petition for the location of Flower avenue from Second avenue to line of Delmont Jones' property.

Which was referred to Survey Committee.

Also,

[266] A petition for the opening of Flower avenue from Second avenue to line of Delmont Jones' property.

Which was referred to the Road Committee.

Also,

[267] A petition for a change of grade on the eastern end of Sylvan avenue Extension.

Which was referred to Survey Committee.

Mr. Brown (R. B.),

[268] A petition for the erection of public gas lamps on Carson street, between Twenty-first and Twenty-fifth streets.

Which was referred to Committee on Gas Lighting.

Mr. Carr, the following—

[269] Resolved, That the Gas Committee take the necessary steps to have gas lamps erected on Manor street, South Side.

Which was referred to Committee on Gas Lighting.

Mr. Kerr—

[270] Remonstrance of property holders on Breed street, South Side, against assessment made for construction of a sewer on Thirteenth street, South Side.

Which was referred to the Board of Viewers o Street Improvement.

Mr. Sawyer—

[271] Resolved, That the Supervision of the Morningside Road be transferred from the control of the Street Committee to that of the Road Committee.

Which was read, and action postponed.

On motion of Mr. **Littell**, leave of absence was granted the Clerk, Monday, May 29th, and C. W. Houston appointed to act *pro tempore*.

Mr. Shipton, from the Finance Committee—

[272] A report recommending the passage of the accompanying resolution for warrants in favor of Henry Rhea and W. A. Lawton.

Which was read and accepted.

Also,

[273] Resolved, That the City Controller be and he is hereby authorized to issue his certificate for warrants in favor of Henry Rhea and W. A. Lawton, to the amounts respectively of \$19.80 and \$45.50, for overpaid taxes, and charge the same to Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also, from the same committee,

[274] A report covering and recommending the passage of the accompanying bill, S. C. No. 218.

Which was read and accepted.

Also,

S. C. Bill No. 218, entitled, An Ordinance amending Section One of an Ordinance entitled, "A Further Supplement to an Ordinance entitled, An Ordinance authorizing the issuing of bonds to be exchanged for bonds issued in payment of subscriptions to Railroad Companies," passed 14 July, 1863.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?"; the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barclay, Brown (L. T.) Brown (R. B.), Brown (Samuel S.), Bruce, Buckley Dannels, Duff (C. P.), Epping, Evans, Fox (George), Froelich, Geiger, Hayden, Hunter, Jeremy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), Ray, Reiman, Rolf, Sawyer, Schwarm, Shipton, Sorg, Taylor, Vierheller, Weldon, Welsh—44.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also, from the same committee,

[275] A report covering and recommending the passage of resolutions authorizing the issuing of warrants in favor of Lucas Zimmer, A. H. Miller, J. S. Ferson and the Fire Department.

Which was read and accepted.

Also,

C. C. No. 6. Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Lucas Zimmer for thirteen dollars and forty-five cents, assessed to him by error, and charge the same to Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also,

C. C. No. 174. Resolved, That the City Controller be and he is hereby instructed to draw a warrant on the City Treasurer in favor of James L. Ferson for fourteen dollars, for balance due him as Auditor of Collins township at the time of consolidation, and charge Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also,

C. C. No. 204. Be it resolved, That the City Controller shall be and he is hereby authorized and directed to issue his certificate for a warrant in favor of A. H. Miller, Esq., Executor of John Aiken, deceased, for the sum of two hundred and eighty-one dollars and

six cents for taxes paid on property taken for Forbes St., and paid by mistake, and charge Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also,

[276] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for warrants amounting to twenty thousand dollars on account of expenses of Fire Department, and charge the same to appropriation No. 25, Water Extension Loan Interest.

Which, the rule being suspended, was read a third time and passed.

Also, from the same committee,

[277] A report covering and recommending the passage of a resolution for a warrant in favor of John Bradley.

Which was read and received.

Also,

[278] Resolved, That the City Controller be and he is hereby authorized to issue his certificate for a warrant in favor of John Bradley, to the amount of one hundred and fifty dollars (\$150), for damages on the account of the re-grading of Forty-fourth street, Seventeenth ward, as per Viewers' Report, and charge the same to the Contingent Fund.

Which, the rule being suspended, was read a third time and passed.

Also, from the same committee,

[279] A report returning to Councils, with a negative recommendation, S. C. No. 175, a resolution for a warrant in favor of C. Stolzenbach, and S. C. No. 220, a resolution for a warrant in favor of Martin Joyce.

Which was read and accepted.

Mr. Dannels moved,

To re-commit the resolution.

Mr. Shipton moved,

To refer to the City Attorney, with instructions to consult the claimants.

Which motion prevailed.

Mr. Dannels moved,

To suspend the order of the day to allow the Chairman of the Finance Committee to present a proposition from the Nation Trust Company.

Which motion prevailed.

Mr. Shipton presented,

[280] A proposition from the stockholders of the Nation Trust Company, offering to settle the city's claim in full at forty per cent. on the dollar.

And moved,

To lay the proposition on the table.

On which motion a division was had, and there were twenty-four ayes and twenty-three noes, so the motion did not prevail.

Mr. McCandless, from the Water Committee, presented,

[281] A report covering an account of the expenditures—\$16,807.71—for the month of April.

Which was read and accepted.

Also, from the same committee, affirmatively,

S. C. Bill No. 205, entitled, An Ordinance authorizing the Assessor of Water Rents to employ assistants to make the assessment.

Which was ordered to be printed for the use of the members.

Also,

[282] An Ordinance authorizing a temporary loan of three hundred thousand dollars for completion of new Water Works.

Which was referred to the Finance Committee.

Mr. Hunter, from the Committee on City Property—

[283] A report covering statement of expenditures (\$894.62) for the month of April, and announcing award of contracts for furnishing ice and coal.

Which was read and approved.

Mr. Schwarm, from the Market Committee—

[284] A report covering statement of expenditures and receipts for the month of April, viz.: Receipts, \$4,914,149 expenditures, 959.18.

Which was read and accepted.

Mr. **MacConnell**, from the Committee on Roads—

[285] A report of the expenditures (\$2,283.02) for the month of April.

Which was read and accepted.

Also, from the same committee, affirmatively,

C. C. Bill No. 181, entitled, An Ordinance authorizing the opening of Osage Lane from Penn avenue to line of property of heirs of Stacy Lloyd.

Which was referred to the Board of Viewers of Street Improvements.

Also,

[286] An Ordinance authorizing the construction of a sewer on Soho run from Fifth avenue culvert to Forbes street culvert.

Which was referred to the Road Committee.

THE FOLLOWING BUSINESS FROM COMMON COUNCIL WAS THEN TAKEN UP :

No. 49 C. C. Report from the Board of Viewers of Street Improvements on the damages caused by the grading of Carson street. S. C. April 10, action postponed.

Was approved.

No. 66 C. C. Report of Board of Viewers of Street Improvements on cost of construction of sewer on Brady street.

In C. C., April 24, approved.

Was, on motion of Mr. **Brown (L. T.)**, re-committed to the Board of Viewers.

S. C. Bill No. 127, entitled, "An Ordinance changing the name of First street, formerly Point street, to Fort street.

Which was read, and the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Aiken, Barkley, Brown (L. T.), Brown (Samuel S.), Buckley, Carr, Dannels, Duff (C. P.), Evans, Fox (George), Geiger, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagertuan, Lappan, Moore, Murray, MacConnell, McClurg, McKinley, O'Neill (Eugene M.), O'Neill (John), Rodgers, Rolf, Sawyer, Schwarm, Shipton, Sorg, Taylor—32.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. **MacConnell** moved,

A call of the house.

Which was ordered.

And the call being made, the following members answered to the roll :

Messrs. Aiken, Barkley, Buckley, Carr, Darlington (B.), Duff (C. P.), Evans, Fox (George), Geiger, Hunter, Jeremy, Kennedy Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, MacConnell, McClurg, McKinley, O'Neill (Eugene M.), O'Neill (John), Rodgers, Rolf, Sawyer, Schwarm, Shipton, Sorg, Taylor, Weldon—32.

And there being no quorum,

Council was declared adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT
GEORGE BOOTH.....CLERK

PITTSBURGH, May 8th, 1876.

Council met.

Present—Atcheson, Aull, Bell, Boucher, Coll, Dickson, Dawler, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClar-

ren, McCafferty, Nantker, Neeb, Nisbet, Powers, Ra-hauser, Reynolds, Roth, Rott, Robeson, Thomp-son, Torrence, Voskamp, Wainwright, Negley.

Absent—Clark, Conway, Flinn, Hogle.

On motion of Mr. **Foley**, reading of the minutes was dispensed with.

Mr. **Thompson** presented,

[219] Petition for change of location of Mai-den Lane, Twenty-third ward.

Which was referred to the Survey Committee.

Also,

[220] An Ordinance to change the location of Maiden Lane from Second avenue to the Mononga-hela river.

Which was referred to the Survey Committee.

Mr. **Dawler** presented,

[221] Petition of Patrick Carrol, for exonera-tion from payment of taxes.

Which was referred to the Committee on Appeals.

Also,

[222] Resolution for an opinion from the City Attorney in relation to the rights of the Oakland Passenger Railway Co., on Fifth avenue, Four-teenth ward,

Which was referred to the Committee on Roads.

Mr. **Fennerty** presented,

[223] Petition of Joseph Wegaman, for refund-ing of overpaid taxes.

Which was referred to the Committee on Appeals.

Also,

[224] Petition of L. Shaltenbrand, for refund-ing of overpaid water tax, for the years 1874 and 1875.

Which was referred to the Water Committee.

Mr. **Robeson** presented,

[225] Petition for the re-location of Fisk street, Seventeenth ward.

Which was referred to the Survey Committee.

Mr. **Thompson** presented,

[226] A report from the Committee on streets, covering their expenditures for the month of April, as follows :

1st District Street Commissioner,	\$1606.05
2d " " "	1594.75
3d " " "	1350.48
5th " " "	506.80
6th " " "	857.28
7th " " "	446.68
Board of Viewers,	478.00
Engineers Department,	870.14

Total,.....7710.18

Also, Recommending the passage of accompanying resolution for a warrant in favor of Robert Ellis, for the sum of \$158.00.

Which was read and received.

Also, From the same committee affirmatively, the following :

[227] Resolved, That the City Controller be, and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Robert Ellis, for the sum of one-hundred and fifty-eight dollars (\$158.00) for balance due for rebuilding Sewer Drops on Forty-second street, Seventeenth ward, and charge Contingent Fund.

Which the rule being suspended was read a third time and passed,

Also,

[228] An Ordinance granting to John D. Negley privilege to erect weigh scales on Carson street, Thirtieth ward.

Which was referred to the Committee on Streets.

Also,

[229] An Ordinance authorizing the opening of Forbes street from Boyd street to Fifth avenue.

Which was referred to the Committee on streets

Also,

[230] An Ordinance granting to Cummings

Cherry, the privilege to construct and maintain a sidewalk on Oak alley.

Which was referred to the Committee on Streets.

ALSO,

[231] An Ordinance authorizing the grading and paving of Union alley, from Grant street to the upper or southeastern line of property of Johns' estate.

Which was referred to the Committee on Streets.

ALSO,

From Street Committee, affirmatively recommended.

[217] An Ordinance authorizing the grading, paving and curbing of Harrison street, from Fiftieth street to Fifty-second street.

Which was referred to the Board of Viewers for report.

ALSO,

From the same committee, affirmatively.

[218] An Ordinance authorizing the opening of Harrison street, from Fiftieth to Fifty-second streets.

Which was referred to the Board of Viewers for report.

ALSO,

From the same committee, affirmatively.

[168] S. C. An Ordinance authorizing the opening of Twenty-third street from Josephine street to the Monongahela river.

Mr. Neeb presented,

[233] A remonstrance against the opening of Twenty-third street.

And moved,

That the bill and remonstrance be referred back to the Committee on Streets.

Which prevailed.

ALSO,

From the Street Committee, affirmatively.

[182] C. C. An Ordinance authorizing the opening of Knox avenue, from Brownsville avenue to the city line.

Which was referred to the Board of Viewers for report.

ALSO,

From the same committee, affirmatively.

[233] S. C. An Ordinance to authorize the re-paving of Second avenue, from Wood to Smithfield streets.

Which was referred to the Board of Viewers.

ALSO,

From the same committee, affirmatively.

[193] C. C. An Ordinance authorizing the construction of a bridge from Laurel avenue to Liberty avenue.

Which was referred to the Board of Viewers.

ALSO,

From the same committee, affirmatively.

[168] C. C. An Ordinance authorizing the grading, paving and curbing of Virgin alley, from Grant street to Cherry alley.

Which was referred to the Board of Viewers.

ALSO,

From the same committee, affirmatively.

[170] C. C. Entitled, "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Garden street, from Forty-fourth to Forty-fifth street."

Which was read.

And the rule being suspended the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley,

—33.

ALSO,

Noes—None.

And a majority of the votes of C. C., being in the affirmative, the bill passed finally.

ALSO,

From the same committee, affirmatively.

[180] C. C. Entitled, "An Ordinance establishing the grade of Miller street, from Reed to Colwell streets.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley,—34.

Noes—None.

And a majority of the votes of C. C. being in the affirmative, the bill passed finally.

ALSO,

From the same committee, affirmatively.

[208] C. C. Entitled, "An Ordinance establishing the grade of Fort street, from Penn avenue to Duquesne Way.

Which was read, and the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley,—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

ALSO,

From the same committee, affirmatively.

[211] Entitled, "An Ordinance establishing the grade of Duquesne Way, from the west curb of First street to a point two hundred and seventy-three feet west of west line of Point alley.

Which was read, and the rules were suspended, and the bill was read a third time and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley,—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

ALSO, from the same committee, affirmatively,

209, C. C., entitled, "An Ordinance establishing the grade of Green alley from Penn avenue to Duquesne way.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Atcheson, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughlin, Lemer, Mears, Moore, Nantker, Nisbet, Powers, Rahausser, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—33.

Noes—None.

And a majority of the votes of C. C. being in the affirmative, the bill passed finally.

From the same committee, affirmatively,
207 C. C., entitled, "An Ordinance establishing the grade of Second street from Penn avenue to Duquesne way.

Which was read, and the rule being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Atcheson, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—34.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee, affirmatively,
211½ C. C., entitled, "An Ordinance establishing the grade of First street.

Which was read, and the rule was suspended, and the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Atcheson, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—34.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee, affirmatively,
210 C. C., entitled, "An Ordinance establishing the grade of Duquesne way from Fifth street to Sixth street.

Which was read, and the rule being suspended the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Atcheson, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley, Pres't—34.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee, affirmatively recommended, as amended,

112 S. C., entitled, "An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company.

Which was read, and the rules were suspended, and the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—38
Noes—None

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee, affirmatively.

[129] C. C. Entitled, "An ordinance authorizing the opening of Exchange alley, from Barker's alley to Seventh street.

Which was read, and the rules were suspended, and the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—37
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee, affirmatively.

[128] C. C. Entitled, "An ordinance authorizing the grading, paving and curbing of Smallman street, from Thirty-sixth street to Thirty-seventh street."

Which was read, and the rules being suspended, the bill was read a third time.

And on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Boucher, Coll, Dickson, Dauler, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—35
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same committee affirmatively.
[182½] C. C. Entitled, "An ordinance to authorize the re-grading, re-paving and curbing of Virgin alley, from Smithfield street to Cherry alley.

Which was read, and the rule being suspended, the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—38.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, [234] Report of the Viewers of Street Improvements on the construction of a sewer on Thirteenth street, from Breed street to Washington street
Which was approved.

Also, [235] A Report of the Viewers of Street Improvements on the damages caused by the grading of Hiland avenue, from Penn avenue to Fifth avenue.

Mr. Aull presented,
[236] Report from the committee on surveys, covering their expenditures for the month of April, amounting to \$502.16.

Which was read and received.
Also, from the same committee, affirmatively.

[152] C. C. Entitled, "An Ordinance establishing the grade for the west curb of Thirty-fourth street, from Penn avenue to Liberty avenue.

Which was read, and the rules being suspended, Mr. Fennerty moved,
To amend by striking out the words, "south curb of Penn avenue," and insert in lieu thereof the words, "north curb of Liberty street."

Mr. Fox moved,
That the bill, with the proposed amendment, be referred back to the Committee on Surveys.

Which, on a division of the vote, did not prevail, by a vote of 13 for to 18 against.

And the question recurring on the motion to amend, the amendment prevailed.

Mr. **Foley** presented,

[237] A report from the Committee on Police, covering a statement of their expenditures for the month of April, amounting to 16,377.75.

Which was read and received.

Mr. **Foley** presented,

From the committee on Retrenchment and Reform affirmatively,

[16] S. C. Entitled, "An Ordinance amending city code, title. Board Measurers. Secs. 1, 3 and 5.

Which was read, and the rules were suspended, and the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Dauler, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauer, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—38.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, [238] An Ordinance fixing salaries of the employees of the Fire Department.

Which was read.

Mr. **Foley** presented the following—

[239] Resolved, That bill No. 238, C. C., fixing the pay of the members of the Fire Department be referred to the Board of Fire Commissioners, with the request that said Board shall report to this branch on the following questions—

1st. The expediency of the reduction of the pay of the Fire Department.

2d. The graduation of the pay in accordance with the length of continued service and efficiency as a member, also, their reasons for their conclusions in full.

Which was read.

Mr. **Hughes** moved,

To lay the resolution on the table.

Which on a division had prevailed by a vote of 17 to 12 against.

Mr. **Neeb** moved,

To refer the bill to the Police Committee.

Mr. **Foley** arose to a point of order, "That the Wallace Bill provides that all bills, &c., shall be referred to appropriate committees," and that as this bill contemplated a reduction in the salaries to be paid by the city, the bill should properly go to the Committee on Retrenchment and Reform.

The Chair ruled,

That the Wallace Bill does not provide as stated by the gentleman, but that "No bill shall be considered unless referred to a committee." Therefore it is for Councils to say what committee. And the question recurring on the motion to refer to the Committee on Police, it did not prevail.

Mr. **Foley** moved,

To refer the bill to the Committee on Retrenchment and Reform.

Mr. **Boucher** moved,

To lay the bill on the table.

On which a division was had, and the motion did not prevail by a vote of 15 for to 18 against.

Mr. **Neeb** moved,

To indefinitely postpone action on the bill.

On which,

Mr. **Foley** demanded the ayes and noes, and the demand being sustained, the call was ordered, and were—

Ayes—Atcheson, Aull, Boucher, Coll, Dickson, Fox, Kerr, Kettenberg, Mears, Moore, McClarren, Nantker, Neeb, Powers, Thomson, Torrence.—16

Noes—Dauler, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hughes, Kirchner, Laughran, Lemer, McCafferty, Nisbet, Reynolds, Roth,

Rott, Robeson, Voskamp, Wainwright, Negley. Pres't.—21.

So the motion to indefinitely postpone action, did not prevail.

And the question recurring on the motion to refer the bill to the Committee on Retrenchment and Reform.

The motion prevailed.

Mr. **Foley** presented, 240, entitled, "An Ordinance fixing the salary of the police force of the city of Pittsburgh.

Mr. **Thomson** moved,

To refer the bill to the Committee on Police.

On which a division was had, and the motion prevailed. Ayes, 21, noes, 11.

Mr. **Hahn** presented,

[241.] A report from the Committee on Monongahela Wharf, covering a statement of their receipts and expenditures, as follows:

Receipts.		Expenditures.
\$1,000.00	North Side,	\$147.53
1,273.00	South Side,	125.70

Which was received and filed.

Mr. **Fennerty** presented,

From Committee on Appeals, affirmatively, the following—

[242] Resolved. That the Controller be directed to issue his certificate on the Mayor for warrants refunding overpaid taxes in favor of the following named persons, for the amounts set opposite their names, respectively:

Wm. F. Cox	\$ 2.66
Wm. Kenney's Heirs	15.17
Wm. Hughes	28.50
Jno. Stack	1.94

And charge Contingent Fund.

Which, the rule being suspended, was read a third time and finally passed.

Also,

From the same committee, affirmatively, the following—

[243] Resolved, That the City Treasurer be authorized and directed to allow exoneration of taxes, as shown, to

Peter Connelly, Fourteenth ward, City.....	\$1.57
W. W. Interest	51
Fire	45
Sink. Fund.....	45
	\$3.07
F. Bender heirs, Fourteenth wd., City.....	\$1.33
W. W. Interest	51
Fire	38
Sink. Fund.....	38
	\$2.60

Which the rule being suspended, was read three times and passed.

Mr. **Aull** presented,

[244] McCrickart's plan of streets in the Twenty-third ward.

Which was approved.

Mr. **Fox** presented the following Report:

[245] Your Centennial Committee would respectfully report that they met on Saturday, May 6th; That, owing to the fact that several members were absent, while the duties of the committee promise to be onerous, it was decided to ask that the number of the committee be increased to thirteen.

In regard to the opening of the Centennial Exhibition celebration on Wednesday next, favorable responses have been received from a number of persons.

The alarm bell, church, school and factory bells will be rung from 11:40 a. m. to 12 m., and during that time a salute will be fired by Hutchinson's Artillery. Flags will be displayed in all parts of the city, and the new one purchased by the Committee on City Property will be unfurled for the first time from Municipal Hall.

The committee also considered the advisability of

an official visit of Council to the Exhibition during the latter part of June, but as yet have taken no definite action.

The question of a local celebration of the Fourth of July was considered. In regard to the manner of celebrating nothing has been definitely arranged further than holding a public meeting, an oration delivered, and, as suggested by the Governor, a local history, showing the growth and progress of the county for the last hundred years, prepared.

Your committee would also recommend the passage of the accompanying resolution, authorizing the expenditure of \$1,000.00 from the Finance Fund, to make a proper display on that day, the money to be used for the general benefit and enjoyment of the people, and that everything purchased to this end shall be regularly advertised for and bid upon, as are other city supplies.

Respectfully submitted.

JOHN A. FOX,
WM. W. NISBET,
JOHN HUGHES,
J. W. WAINWRIGHT,
Committee.

Which was read and received.

Mr. FOX moved,

That that portion of the Report asking an increase of the committee to thirteen be adopted.

Which prevailed.

Also, the following—

[246] Resolved, That the Finance Committee be, and are hereby authorized and directed to pay such bills as may be contracted by the Centennial Committee, not exceeding in the aggregate one thousand dollars, in making and carrying out the arrangements for a local Centennial Celebration.

Which was read.

Mr. Rott moved

To lay the resolution on the table.

Which motion did not prevail.

And on Motion of Mr. FOX the resolution was laid over.

Mr. McClarren moved,

That the Committee on Streets be directed to report back the bill for the re-grading and re-paving of Thirty-third street, from Penn avenue to Liberty avenue, and presented,

[247] A communication from James S. Devlin, Civil Engineer, relative to the amount and character of damage by grade on Thirty-second street.

Which was read and received.

Also,

[248] A proposition from Hewley & Moran to re-grade and re-pave Thirty-third street.

Which was read and received.

And the motion requiring a report from Committee on Streets prevailed.

UNFINISHED BUSINESS.

[213] S. C. A resolution for a warrant in favor of Robert Hastings, for the sum of \$1,935.07.

In Select Council, April 10th, 1875, passed finally.

Which, the rule being suspended, was read three times and passed.

S. C. No. 87, Entitled, "An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

Which was passed by Select Council, March, 27th, 1876.

In Common Council, April 24th, amended.

Which was read, and the rules were suspended, and the bill was read a third time, and on the question, Shall the bill pass finally, the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Fox, Fritz, Fennerty, Ferson, Hagan, Helms, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Robeson, Thomson, Voskamp, Wainwright, Negley, Prest't.—32.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

BUSINESS FROM SELECT COUNCIL.

S. C. 275. A communication from the Finance Committee covering and recommending the payment of claims of Lucas Zimmer, Oliver Ferson, A. H. Miller, Executor, and resolution transferring \$20,000 from Water Extension Loan Interest to Fire Department.

In S. C., May 8th, 1876, read and accepted.

In which action C. C. concurred.

[276] S. C. Resolution for warrant in favor of Fire Department for the sum of \$20,000, and charge the same to appropriation No. 25, Water Extension Loan Interest.

In S. C. May 8th, 1876, passed finally.

Which, the rule being suspended, was read three times and passed.

[174] C. C. Resolution for a warrant in favor of J. L. Ferson, for the sum of fourteen dollars for balance due him for services as auditor of Collins township.

In S. C., May 8th, 1876, passed finally.

Which, the rule being suspended was read three times and passed.

No. 6. C. C. Resolution for a warrant in favor of Lucas Zimmer for the sum of \$13.40, for refunding of overpaid taxes.

In S. C., May 8th, 1876, passed finally.

Which, the rule being suspended, was read a third time and passed.

204. C. C. Resolution for a warrant in favor of A. H. Miller, Esq., executor of John Aiken, deceased, for the sum of \$281.06, for refunding of overpaid taxes.

In S. C., May 8th, 1876, passed finally.

Which, the rules being suspended, was read a third time and passed.

272. S. C. Report from Finance Committee covering resolutions for warrants in favor of Henry Rea, Jr., and W. A. Lawton.

In S. C., May 8th, read and accepted.

In which action C. C. concurred.

273. S. C. Resolution for warrant in favor of Henry Rea, Jr., for \$19.80, and W. A. Lawton for \$45.50, for refunding overpaid tax.

In S. C., May 8th, 1876, passed finally.

Which, the rule being suspended, was read a third time and passed.

277. S. C. Report from the Finance Committee covering and recommending payment of claim of John Bradley for damages by grading Forty-fourth street.

In S. C., May 8th, 1876, read and accepted.

In which action C. C. concurred.

278. Resolution for a warrant in favor of John Bradley for the sum of \$150.00 in payment of damage by grading Forty-fourth street.

In S. C., May 8th, passed finally.

Which, the rule being suspended, was read a third time and passed.

264. S. C. Resolution for the appointment of a special committee to ascertain in relation to the acceptance of the Penn Avenue Bridge.

In S. C., May 8th, passed, and Messrs. Bruce and Littell appointed on behalf of S. C.

In which action C. C. concurred, and appointed Messrs. Aull, McClarren and Ferson on behalf of C. C.

248. S. C. Report of Committee on Gas Lighting, covering and recommending passage of resolutions for the erection of public lamps.

In S. C., April 24th, 1876, read and accepted.

In which action C. C. concurred.

251. S. C. Resolution for the erection of public lamps by the East End Gas Company.

In S. C., April 24th, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

249. S. C. Resolution for the erection of public lamps by the Pittsburgh Gas Company.

In S. C., April 24th, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

250. S. C. Resolution repealing that portion of S. C., No. 185. Resolution authorizing the erection of five public lamps on Stanton avenue, between Hiland avenue and St. Clair street, to be taken from Hiland avenue.

In S. C. April 24th, 1876, passed finally.

Which, the rule being suspended, was read a third time and passed.

112. C. C. Entitled, "An Ordinance granting McConway, Torley & Co. right to erect an addition to an iron clad building.

In S. C., April 24th, passed finally.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, Shall the pass finally, the ayes and noes were taken agreeably to law, and were:

Yeas—Messrs. Atcheson, Aull, Boucher, Coll, Dickson, Fox, Fritz, Fennerty, Ferson, Hagan, Helmold, Hughes, Kerr, Kettenberg, Kirchner, Mears, Moore, McClarren, McCafferty Nantker, Neeb, Nisbet, Reynolds, Roth, Rott, Robeson, Thomson, Voskamp Wainwright, Negley—30.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Neeb** presented the following—

249. Resolved, by the Select and Common Councils of the city of Pittsburgh, That when these Councils adjourn on Monday, June 12th, 1876, they do adjourn until Monday, September 11th, 1876, excepting such special meetings as may be called according to the rules for extraordinary or specific purposes.

Which, the rule being suspended, was passed finally.

Mr. **Kettenberg** moved,

To adjourn.

Which did not prevail,

Mr. **Thomson** presented,

250. Resolution for a warrant in favor of C. J. Schultz, for the sum of ten thousand dollars, on account of assessment against the city for the construction of a bridge over Four Mile Run.

Which was referred to the Finance Committee.

Also,

[251] A resolution for a warrant in favor of Robert Ellis, for the sum of \$3,000, on account of grading, paving and curbing Forty-second street.

Which was referred to the Finance Committee.

Also,

[252] A communication from the attorneys of the Nation Trust Company, asking on behalf of the company for the option of purchasing the claims of the creditors for 40 per cent. of the face of the indebtedness.

And moved,

To refer the communication to the Finance Committee with instructions to report at the next meeting of Councils.

Which on a division prevailed, ayes 20, noes 5.

Mr. **Fox** by leave, called up the following resolution.

No. 78, C. C. Resolved, That a committee of five be appointed, two from Select and three from Common Councils, with instructions to report an Ordinance or Ordinances regulating letting of contracts by the various departments of the city government in accordance with law.

And moved,

To amend by adding the words, "Also prescribing the duties of the various committees of Council.

Which prevailed.

And the resolution as amended was passed.

Mr. **Thomson** by leave called up,

C. C. bills Nos. 101 and 102, Ordinances for the re-paving of Fifth avenue, from Liberty street to Smithfield street, and Wood street, from Water to Liberty streets, respectively.

And moved.

To refer the bills to the Board of Viewers of Street Improvements, for report under Act of Assembly.

Which motion prevailed.

The Chair,

Appointed Messrs. Neeb, Dickson, Ferson Atcheson to the Committee on Centennial Celebration Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, MAY 29, 1876.

No. 17.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT
E. S. MCKROW.....CLERK

PITTSBURGH, May 29, 1877.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Denniston, Dietrich, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Foster, Fox (George), Fox (Gregor), Froelich, Geiger, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neill (Eugene M.), O'Neill (John), Powers, Ray, Reiman, Rodgers, Rolf, Sawyer, Schild, Schwarm, Shipton, Singer, Sorg, Taylor, Vierheller, Weldon.
Absent—Messrs. Brown (Samuel S.), Darlington (H.), Kerr, Musgrave, McCombs, Perry, Waring, Welsh, Gross.

In the absence of the President, Mr. Aiken was called to preside.

On motion of Mr. Brown (R. B.), the reading of the minutes was dispensed with.

Mr. Herron presented,

[287] A petition for change of grade on Ridge street, Thirteenth ward.

Which was referred to the Survey Committee.

ALSO,

[288] A resolution instructing the City Engineer to attend work on the grading of Ridge street, Thirteenth ward.

Which was referred to the Road Committee.

ALSO,

[289] A petition for a sewer on Cecil alley, from ——— to the Allegheny river,

Which was referred to the Street Committee.

ALSO,

[290] A remonstrance against the same.

Which was referred to the Street Committee.

Mr. O'Neill (Jno.), presented,

[291] Resolution for flagstone crossing on Wylie avenue at Sixth avenue.

Which was referred to the Street Committee.

Mr. Dannels presented.

[292] An Ordinance opening Reed street, from Overhill street to Dinwiddie street.

Which was referred to the Street Committee.

Mr. Powers presented,

[293] Resolution to repair Hill alley, Thirteenth ward.

Which was referred to the Road Committee.

Mr. Duff (C. P.), presented,

[294] A petition for exoneration of Lydia Jarrett from payment of tax for 1875.

Which was referred to the Committee on Appeals.

ALSO,

[295] Petition for refunding of overpaid taxes to Lydia Jarrett, Fourteenth ward.

Which was referred to the Committee on Appeals.

Mr. Aiken presented,

[296] Petition for public gas lamps on Rebecca street, Twentieth ward.

Which was referred to the Gas Committee.

Mr. Schwarm presented,

[297] Petition for the grading, paving and curbing of Harcum alley, South Side, between Seventeenth and Eighteenth streets.

Referred to Street Committee.

Mr. Sorg presented,

[298] An Ordinance granting Jno. Gilroy the privilege to erect a frame building on Carson street, Thirty-fourth ward.

Which was referred to the Committee on Wooden Buildings.

Mr. Jeremy presented,

[299] The resignation of John A. Musgrave as member of Select Council from the Seventh ward.

Which was read and accepted.

ALSO, the following—

[300] Resolved, That we, as a body, tender our sincere thanks to John A. Musgrave for the faithful and straightforward manner in which he has served as member of this body.

Which was read and passed.

The President presented,

[40, C. C.] An Ordinance for the construction of a brick sewer on property of Michael McCullough, from end of Forty-second street sewer, for a distance of twenty feet.

Which was referred to the Board of Viewers of Street Improvements, under Act of May 1st, 1876.

ALSO,

[122, C. C.] An Ordinance opening Union alley, from Grant street to upper line of Johns estate.

Which was referred to Board of Viewers of Street Improvements, under Act of May 1st, 1876.

ALSO,

[125, C. C.] An Ordinance for the construction of a board-walk on Morningside avenue, from Butler street to present board-walk.

Which was referred to Board of Viewers of Street Improvements, under Act of May 1st, 1876.

ALSO,

C. C. Bill No. 182½, entitled "An Ordinance authorizing the regrading, repaving and curbing of Virgin alley from Smithfield street to Cherry alley."

Referred to Board of Viewers of Street Improvements under Act of May 1st, 1876.

Mr. Shipton presented.

[301] A Report from the Finance Committee returning, with an affirmative recommendation, C. C. No. 250, "A Resolution for a warrant in favor of C. J. Schultz."

Which was read and received.

Also, [250 C. C.] A Resolution authorizing the City Controller to issue his certificate for a warrant in favor of C. J. Schultz

Be it Resolved, That the City Controller be and he is hereby authorized to issue his certificate for a warrant in favor of C. J. Schultz for the sum of \$5,000 on account of the assessment against the city of Pittsburgh for the construction of a bridge over Saw Mill Run or Sylvan avenue, and charge the same to Contingent Fund.

Which was read, and the rule being suspended, Mr. Carr moved,

To postpone action for the present.

Which did not prevail.

And on the final passage of the resolution the ayes and noes were demanded by Mr. Carr, and the call being sustained, were ordered, and were—

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Bruce, Darlington (B.), Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Fox (George), Froehlich, Geiger, Hayden, Herron, Holliday, Jeremy, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, McCandless, McClurg, McKinley, Negley, O'Neill (Eugene M.), Powers, Reiman, Rodgers, Schwarm, Shipton, Singler, Sorg, Taylor, Weldon—47.

Noes—Messrs. Carr, Dannels, Goldthorp, Hunter, Kernan, Meyer, McConnell, McGimpsey, Nusser, O'Neil (John), Rodgers, Sawyer, Schild, Vierheller—14.

And a majority of the votes of Select Council being in the affirmative, the Resolution passed finally.

Also,

[302] A communication from the Finance Committee returning, with a negative recommendation, C. C. No. 251, a Resolution for a warrant in favor of Robert Ellis, for three thousand dollars on account of the grading and paving of Forty-second street.

Which was read and received.

Also,

[303] A communication from the same committee, returning, with a negative recommendation, S. C. No. 282, An Ordinance authorizing a temporary loan of three hundred thousand dollars.

Which was read and laid over.

Mr. McCandless presented, from the Water Committee,

[304] Annual Report of the Superintendent of the Water Works for 1875.

Which was read and accepted, and three hundred copies ordered to be printed.

Also,

[305] Annual Report of the Water Assessor for 1875.

Which was read and accepted, and three hundred copies ordered to be printed.

Also, from the same committee, with an affirmative recommendation,

S. C. 205, entitled, "An Ordinance authorizing the Water Assessor to employ assistants.

Which was read.

And the rule was suspended.

Mr. MacConnell moved,

To lay on the table.

Which did not prevail.

Mr. MacConnell moved,

To amend by inserting after the word "Committee," in the fourth line, "not more than three."

Which did not prevail.

And the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Dannels, Denniston, Dietrich, Duff (C. P.), Epping, Evans, Felker, Foster, Fox (George), Froehlich, Goldthorp, Hayden, Herron, Holliday, Jeremy, Kennedy, Kernan, Lappan, Littell, Meyer, Moore, Murray, Mc-

Candless, McClurg, McGimpsey McKinley, Negley, Nusser, Powers, Ray, Rolf, Sawyer, Singler, Sorg, Taylor, Vierheller, Weldon—45.

Noes—Messrs. Duff (J. K. P.), Geiger, MacConnell, O'Neill (Eugene M.), Reiman, Rodgers, Shipton—7.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. MacConnell, by leave, presented,

[306] Resolved, That the Water Assessor be limited to the appointment of three persons as Assistant Water Assessors, under Ordinance No. 205 S. C.

Which was read and laid over.

Mr. Schwarm presented,

[307] Report from the Market Committee, announcing award of contracts for repaving the Diamond Square to S. R. Johnston & Co., at \$2.50 per square yard, and for paving sidewalks with brick on the Miltenberger and Forbes street fronts of the Fifth avenue market property to J. J. Booth, at 40 cents per square yard.

Which was read and received.

Mr. Bruce moved,

To adopt the report.

Which motion prevailed.

Mr. Schwarm presented,

[308] Report from the Committee on Wooden Buildings, recommending the passage of Ordinances granting sundry parties right to erect wooden buildings.

Which was read and received.

Also, from the same committee, with an affirmative recommendation,

[309] An Ordinance, entitled, "An Ordinance granting Edward McDermott privilege to erect a frame building on Carson street, Thirty-fourth ward."

Which was read.

And the rule was suspended, and the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were—

Ayes—Messrs. Ahl, Aiken, Bates, Brown (R. B.), Brown (L. T.), Bruce, Carr, Dannels, Denniston, Dietrich, Duff (C. P.), Epping, Foster, Fox (George), Fox (Gregor), Froehlich, Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neill (Eugene M.), Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Shipton, Singler, Sorg, Taylor, Vierheller—48.

Noes—Messrs. Barclay, Duff (J. K. P.), Evans, Goldthorp, Lagerman, Weldon—6.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

Also, from the same committee with an affirmative recommendation

[310] An Ordinance, entitled, "An Ordinance granting Milton Bartley right to erect an iron-clad building in the rear of Nos. 1041 and 1043 Penn avenue."

Which was read,

And the rule was suspended. The bill was read a third time, and on the question, shall the bill pass finally, the ayes and noes were taken agreeably to law and were

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Denniston, Dietrich, Epping, Felker, Foster, Fox (George), Fox (Gregor), Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Lappan, Littell, Meyer, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neill (Eugene), O'Neill (John), Powers, Ray, Reiman, Sawyer, Schild, Schwarm, Shipton, Singler, Sorg, Taylor, Vierheller—47.

Noes—Messrs. Duff (C. P.), and Weldon—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also, from the same committee affirmatively recommended.

[311] An Ordinance, entitled, "An Ordinance granting Martin Wilhelm privilege to erect a frame addition to house on Carson street, Thirty-fourth ward.

Which was read.

And the rule being suspended,

Mr. **Buckley** moved,

To lay the bill on the table.

On which motion a division was had, and there were twenty-six ayes and twenty-one noes. So the motion prevailed, and the bill was laid on the table.

Mr. **Shipton** presented,

From the Committee on Gas Lighting, with an affirmative recommendation.

[312] Resolved, That the Pittsburgh Gas Company be and are hereby authorized and directed to erect public gas lamps at the following points: One on Virgin alley, midway between Cherry alley and Smithfield street; one corner Devillier and Rose streets; one corner Railroad and Twenty-first streets; one wall lamp on Garrison alley, between Fayette street and Penn avenue.

Also, to furnish gas for three lamps on Bridge near Everson, Macrum & Co.'s Mill, on Second avenue.

Which, the rule being suspended was read three times and passed.

Also, from the same committee affirmatively.

[313] Resolved, That the South Side Gas Company be and are hereby authorized and directed to erect public gas lamps at the following points:

One on Jane street, at crossing of the P., V. & C. R. R.; one corner Twenty-eighth and Mary street; three on Carson street between Twenty-first and Twenty-fifth streets.

Which, the rule being suspended, was read three times and passed:

Mr. **Herron**, presented (under a suspension of the rules) the following:

[314] Whereas, The Railroad Company seem slow to act in the matter of constructing the bridge across their tracks between Twenty-eighth and Twenty-ninth streets, therefore,

Resolved, That the City Engineer be and he is hereby instructed to notify said Company to proceed at once with said work, as it is very much needed for the convenience of the Western Pennsylvania Hospital.

Which was read and passed.

Mr. **Epping**, presented (by leave)

[315] Resolved, That the Water Committee, instruct the Superintendent of Water Works, to lay the water pipes on Thirty-third street, from above the P. R. R. to Liberty avenue, previous to paving said street.

Which, the rule being suspended, was read three times and passed.

Also,

[316] Petition of Wm. M. McCutcheon for damages sustained by grading of Liberty avenue.

Which was referred to Street Committee.

Mr. **MacConnell**, presented from the Road Committee, affirmatively recommended.

S. C. Bill No. 285. An Ordinance, entitled, "An Ordinance for the construction of a stone sewer on Soho Run, from Fifth avenue to Forbes street.

Which was referred to Board of Viewers of Street Improvement, under Act of May 1st 1876.

Also, from the same Committee with an affirmative recommendation.

S. C. Bill No. 287. An Ordinance, entitled, "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Madison street, from Fifth avenue to Forbes street.

Which was read.

And the rule being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were.

Ayes—Messrs. Aiken, Barclay, Bates, Brown (R.B.), Brown (L. T.), Bruce, Buckley, Dannajs, Duff, (C. P.), Felker, Foster, Fox (Geo.), Herron, Hunter, Jeremy,

Kennedy, Lagerman, Littell, Meyer, Moore, Murray, McCandles*, MacConnell, McClurg, McKinley, Negley, Nusser, O'Neill (Eugene M.), O'Neil (John), Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm Shipton, Sorg—38.

Noes—Mr. Singerly—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also,

[317] An Ordinance opening Station street from Frankstown avenue to P. R. R.

Referred to Road Committee.

The following business from Common Council was then taken up.

[No. 266 C. C.] Viewers report on estimate for re-paving of Fifth avenue, from Liberty to Smithfield streets under Act of May 1st, 1876.

In Common Council, May 29th, 1876, read and received.

In which action Select Council concurred.

[No. 263 C. C.] Viewers Report on estimates for repaving Wood street from Water street to Liberty street, under Act of May 1st, 1876.

In Common Council, May 29, 1876, read and received.

In which action Select Council concurred.

Mr. **Hunter**, by leave, called up,

C. C. Bill 101, entitled, "An Ordinance to authorize the repaving of Fifth avenue, from Liberty street to Smithfield street."

In Common Council, May 29, 1876 passed finally.

Which was read,

And the rule being suspended.

Mr. **Hunter**, moved,

To recommit to the Street Committee.

Which motion prevailed,

Mr. **Singerly**, by leave, presented,

[318] Resolved, That it is the policy of the Councils of the city of Pittsburgh, in regard to paving the streets, that the city will pay the cost of the best cobble stone pavement. Any other pavements that may be preferred by the owners of property, they, the property owners must guarantee the City Solicitor the additional cost.

Which was read,

Mr. **Carr**, moved,

To refer to the Ordinance Committee, with instructions to prepare an Ordinance embodying the sense of the resolution.

Which prevailed,

Mr. **Brown (L. T.)**, presented (by leave),

[319] Petition for extending water main on Lawn street, Fourteenth ward.

Which was referred to the Water Committee.

On motion adjourned.

Attest E. J. MARROW

COMMON COUNCIL.

W. B. NEGLEY PRESIDENT
GEORGE BOOTH CLERK

PITTSBURGH, May 29th, 1876.

Council met,

Present—Messrs. Atcheson, Aull, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemar, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Wainwright, Negley.

Absent

On motion of Mr. Dickson, read ng of the minutes was dispensed with.

Mr. Neeb, presented,
[253] An Ordinance fixing the salary of the night officer of the Central Police Station.

Which was referred to the Committee on Police.

Mr. Thompson, presented.

[254] Resolved, That Councils will meet in Joint Session, on Monday June 12th, 1876, at 3 o'clock, P. M., for the purpose of electing two Assistant Assessors, as directed by the recent Act of Assembly, providing therefor.

Which was read.

Mr. Foley, moved,

To amend by striking out the words, "June 12th," and insert the words "this day."

Which on call of division did not prevail. Ayes 12, Noes 14.

And the resolution as presented was passed.

Mr. Thompson, presented.

[255] An Ordinance authorizing the change of grade on Penn avenue, from 32d to 34th streets.

Which was referred to the Committee on Streets.

Mr. Kettenberg,

[256] Petition for increase of width of sidewalk on Cliff street, between Gum and Cassatt streets. Which was referred to the Committee on Streets.

Mr. Fox, presented.

[257] An Ordinance granting Vincent Stevens right to erect a wooden building.

Which was referred to the Committee on Wooden Buildings.

Mr. Fennerty.

[258] Petition of Wm. K. Young for exoneration from payment of taxes erroneously assessed.

Which was referred to Committee on Appeals.

Mr. Ferson.

[259] Petition for the construction of a sewer on Beidler street, from Shakespeare street to Hilland avenue.

Which was referred to the Committee on Roads.

Mr. Hahn.

[260] An Ordinance granting Geo. Duncan & Sons, privilege to erect an addition to a frame building.

Which was referred to Committee on Wooden Buildings.

Mr. Hughes.

[261] An Ordinance, authorizing the vacation of Hill street, from Brownsville avenue to Bailey's line.

Which was referred to the Committee on Streets.

Mr. Foley.

[262] Petition of citizens of the 36th ward for the placing in better condition to carry off drainage of Chestnut, Elliot, Boundary and Robb streets in said ward.

Also,

[262 1/2] Resolved, that the Street Commissioner of the Seventh Street District be instructed to open the gutters on the streets mentioned by the property owners of the 36th ward hill-side, namely, Boundary, Elliott, and Robb streets.

Which, together with the petition, were referred to the Committee on streets.

Mr. Thompson, presented.

[263] Report of Viewers of Improvements of assessments for repaving Wood street, from Water street to Liberty Street, under Act of May 1st, 1876, with estimates of cost of different kinds of pavement, as follows:

Trap-rock (Belgian Block) whole cost	\$31,586 75
Of which the city will pay three-fourths, or	\$23,690 07
Of which the property will pay one-fourth, or	7,896 68
Cobble-stone (city pays whole cost)	10,357 55
Vulcanite—whole cost	27,162 75
Of which the city will pay three-fourths, or	20,372 07

Of which the property will pay one-fourth, or	6,790 68
Somerset—whole cost	22,738 95
Of which the city will pay three-fourths, or	17,654 67
Of which the property will pay one-fourth, or	5,684 68
Ligonier—whole cost	26,277 95
Of which the city will pay three-fourths, or	19,708 47
Of which the property will pay one fourth, or	6,569 48
Which was read and received.	

Also,

[264] Communication from a committee appointed at a property owners' meeting held at the Chamber of Commerce, recommending the paving of Fifth avenue and Wood street with stone blocks.

Which was read and received.

Also,

[265] Petition of property owners for repaving of Wood street and Fifth avenue with stone block pavement.

Which was read and received.

Also,

[102 C. C.] Entitled "An Ordinance to authorize the repaving of Wood street, from Water street to Liberty street"

Which was read,

And the rule being suspended, the bill was read a third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Clark, Dickson, Daurer, Fliin, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle, Hughes, Kettenberg, Laughran, Lemar, Mears, Moore, McClarren, Nantker, Neeb, Powers, Reynolds, Roth, Rott, Thompson, Voskamp, Wainwright, Negley—31.

Noes—Messrs. Kirchner, Nisbet—2.

Declined to vote—Messrs. Cole and Conway.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

[266] Report of the Viewers of Street Improvements on estimates, and assessment for the repaving of Fifth avenue, from Liberty street to Smithfield street, under Act of Assembly, of May 1st, 1876, with estimates of the cost of the different kinds of pavement, as follows:

Trap-rock (Belgian block)—whole cost	\$15,723 50
Of which the city will pay three-fourths, or	\$11,792 63
Of which the property will pay one-fourth, or	3,930 87
Select cobble, city pays whole cost	5,237 90
Vulcanite—whole cost	13,539 00
Of which the city will pay three-fourths, or	10,155 00
Of which the property will pay one-fourth, or	3,384 00
Somerset—whole cost	11,254 50
Of which the city will pay three-fourths, or	8,515 88
Of which the property will pay one-fourth, or	2,738 62
Ligonier—whole cost	13,102 00
Of which the city will pay three-fourths, or	9,827 00
Of which the property will pay one-fourth, or	3,276 00
Which was read and received.	

Also,

[101 C. C.] Entitled "An Ordinance, to authorize the repaving of Fifth avenue, from Liberty street to Smithfield street.

Which was read,

And the rules being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were;

Ayes—Messrs. Atcheson, Aull, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmsold, Hogle, Hughes, Kettenberg, Laughran, Lemar, Mears, Moore, McClarren, Nantker, Neeb, Powers, Reynolds, Roth, Rott, Thompson, Voskamp, Wainwright, Negley—34.

Noes—Messrs. Kirchner, Nisbet—2.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

[567] Report of the Viewers on the opening of Second, from Penn avenue to Duquesne way.

Which was approved.

Mr. **Foley**, moved,

To suspend the rules for the purpose of reconsidering the action fixing June 12th as the time to elect Assistant Assessors.

Which did not prevail.

Mr. **Aull**, presented,

[268] An Ordinance locating Houck street.

Which was referred to Committee on Surveys.

Also,

[269] An Ordinance locating Louisa street.

Which was referred to the Committee on Surveys.

Also,

[270] An Ordinance locating Jones avenue.

Which was referred to the Committee on Surveys.

Also,

[271] An Ordinance locating Fetzter street, from Bertha street to Kirkpatrick street.

Which was referred to the Committee on Surveys.

Mr. **Fox**,

[272] A Report from the Committee on Finance, returning with a negative recommendation, No. 252, C. C., "Communication from the Attorneys of the Nation Trust Company, asking for the option of purchasing the claim of the City against said Nation Trust Company, for forty per cent. of their face in cash."

Which was read and received.

Mr. **Dauler**, presented,

[273] Remonstrance against the paving of side walks on Craig street.

Which was referred to the Committee on Roads.

Mr. **Wainwright**,

[274] Petition asking for a change in the Bill, authorizing the grading, paving and covering of Harrison street, from 50th street to 52d street, so that the same shall be graded only.

Which was referred to the Committee on Streets.

Mr. **Foley**, presented the following:

[275] Whereas, It was stated by the Clerk of this Council under misapprehension, that there was

no certified copy of the Bill passed by the late Legislature, before this body.

And Whereas,

It now appear before us with the State Seal and the signature of the Governor,

Therefore,

Resolved, That we meet in Joint Session this day at 3.30 P. M. for the purpose of electing two Assistant Assessors.

Which was read and laid on the table.

Also,

[276] A certified copy of an Act of Assembly, entitled, "An Act, Providing for the classification of real estate for purposes of taxation and for the appointment of Assessors in cities of the second class,"

Approved the fifth day of May, A. D. 1876.

Which was received.

Mr. **Fox**, called up,

[C. C. No. 246] Resolved, That the Finance Committee be, and are hereby authorized and directed to pay such bills as may be contracted by the Centennial Committee, not exceeding in the aggregate one thousand dollars, in making and carrying out the arrangements for a local Centennial celebration,

Which was read and laid over on May 8th, 1876.

Which was read, and the rules being suspended,

Mr. **Nisbet**, moved,

The final passage of the bill,

On which Mr. Aull demanded the ayes and noes, and the call being sustained was ordered and were;

Ayes—Messrs. Atcheson, Aull, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Hahn, Hagan, Helmsold, Hughes, Kettenberg, Kirchner, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rott, Robeson, Thompson, Voskamp, Wainwright—26.

Noes—Messrs. Clark, Coll, Conway, Foley, Hogle, Laughran, Lemar, McClarren, Powers, Reynolds, Roth, Negley—12.

And a majority of the votes of Common Council being in the affirmative, the resolution prevailed.

Mr. **Fox**, moved,

To reconsider the action just had on the Resolution, No. 246, C. C.

Which prevailed.

Mr. **Fox**, moved,

To refer the resolution to the City Attorney for an opinion as to the legality of the measure,

Which prevailed.

Mr. **Rott**, presented,

[307 S. C.] A Report from the Committee on Markets, covering award of contract to S. R. Johnson & Co. for repaving of the Diamond Square.

And to J. J. Booth for paving sidewalks on the Miltenberger and Forbes street fronts of the Fifth avenue market property.

In S. C. May 29th read and approved.

In which action C. C. concurred.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, JUNE 12, 1876.

No. 18.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT
E. S. MORROW.....CLERK

PITTSBURGH, June 12th, 1876.

Council met,

Present—Messrs. Ahl, Aiken, Atkinson, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCandless, McCombs, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neill (Eugene M.), O'Neill (John), Perry, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schwarm, Shipton, Singerly, Sorg, Taylor, Vierheller, Waring, Weldon, Welsh.

Absent—Messrs. Barkley Bates, Brown (S. S.), Darlington, (H.) Denniston, Deitrich, Froehlich, MacConnell, Schild, Gross.

In the absence of the President, Mr. Aiken was chosen President *pro tempore*.

Mr. Duff (C. P.), moved,

To dispense with the reading of the minutes.

Which motion prevailed.

The President, by leave, presented, C. C. No. 254. Resolution for a joint session of Councils at three o'clock P. M., for the election of two Assistant Assessors.

In C. C. Passed.

In which action Select Council concurred.

Also,

[320] A communication from G. L. Braun, Secretary of the Board of Guardians of the Poor, announcing that a vacancy in said Board caused by the resignation of Mr. B. C. Sawyer, whose term of office would expire February, 1878.

Which was read and accepted and on motion of Mr. Hunter, Council proceeded to an election for a member of said Board for the unexpired term of B. C. Sawyer, resigned.

And Mr. Brown (R. B.), nominated

Atterbury (T. B.),

And the result of the voting was as follows;

For Atterbury (T. B.),

Ayes—Messrs. Aiken, Atkinson, Brown (R. B.), Brown (L. T.), Bruce, Carr, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Fox (Gregor), Geiger, Holliday, Hunter, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, Powers, Ray,

Reiman, Rolfe, Sawyer, Shipton, Singerly, Sorg, Taylor, Vierheller, Waring.

Noes—none.

And T. B. Atterbury received 39 votes, and was declared duly elected a member of said Board, for the unexpired term of B. C. Sawyer, resigned.

Mr. Bruce, presented.

[321] Resolved, By the Select and Common Councils of Pittsburgh, that the proposition made by George Shiras, Jr., and S. Schoyer, Jr., on behalf of certain stockholders of the Nation Trust Company, for the purchase of the claims of the city against the Nation Trust Company for \$240,000. be and the same is hereby accepted; provided the same shall be wholly paid within the period of ninety days from June 15, 1876. And upon the payment of the said sum of money, the Controller is hereby instructed to make assignment of said claim, with the interest of the city in the securities pledged for the debts of said company, unto the purchasers thereof.

Resolved, further, That for the purpose of affording an opportunity to the proposed purchasers to procure the necessary money, the Trustees are hereby requested to postpone all proceedings for the enforcement of the notes and securities held by them until the expiration of said ninety days from June 15, 1876.

Which were read.

Mr. Bruce, moved,

That the rule be suspended to allow the third reading and final passage of the resolutions.

Which motion prevailed.

Mr. R. B. Brown moved,

That action be postponed until next regular meeting.

On which motion a division was had and there were twenty-two ayes and thirty-three noes. So the motion did not prevail.

Mr. Bruce moved,

The third reading and final passage of the resolutions.

On which motion the ayes and noes were demanded by Mr. Jno. O'Neill, and the demand being sustained were ordered to be taken.

And being taken were,

Ayes—Ahl, Aiken, Bruce, Buckley, Duff (C. P.), Duff (J. K. P.), Epping, Fox (George), Fox (Gregor), Hayden, Herron, Holliday, Jeremy, Kerr, Lagerman, Littell, Meyer, Moore, McCandless, McGimpsey, McKinley, Negley, Ray, Reiman, Schwarm, Sorg, Taylor, Vierheller, Waring, Weldon, Welsh—31.

Noes—Atkinson, Brown (R. B.), Brown (L. T.), Carr, Dannels, Darlington (B.), Evans, Felker, Foster, Geiger, Hunter, Kernan, Lappan, Murray, McClurg, Nusser, O'Neill (Eugene M.), O'Neill (John), Powers, Rodgers, Rolfe, Sawyer, Shipton, Singerly—24.

So the motion prevailed.

And the resolutions were read three times and passed finally.

Mr. Herron presented,

[322] A remonstrance against the construction of a sewer on Penn street and Cecil alley.

Which was referred to the Street Committee.

Mr. **Jeremy**, the following,
[323] Resolved; That the Mayor be and he is hereby authorized to issue his proclamation for the election of a member of Select Council for the Seventh Ward, City of Pittsburgh, in place of Jno. A. Musgrave resigned.

Which, the rule being suspended was read three times and passed.

The hour for meeting Common Council in joint session (three o'clock P. M.) having arrived, Select Council proceeded to the Common Council chamber and there met Common Council in

JOINT SESSION

For the purpose of electing two persons to be Assistant Assessors.

Whereupon Councils proceeded to said election.

And,

Mr. **Bruce** nominated Christopher Magee.

Mr. **Littell** nominated Daniel Wenke.

Mr. **Littell** nominated Chas. W. Lewis.

Mr. **Kerr** nominated James J. Larkins.

And the result of the voting was as follows:

For Christopher Magee,

Mr. Bruce.

For Daniel Wenke,

Messrs. Aiken, Atkinson, Brown (R. B.), Brown (L. T.), Duff (C. P.), Evans, Felker, Herron, Holliday, Hunter, Jeremy, Littell, Meyer, Murray, McCandless, McCombs, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), Perry, Powers, Rolfe, Shipton, Singler, Sorg, Vierheller, Waring Welsh.

For Chas. W. Lewis,

Messrs. B. Darlington and Moore.

For James J. Larkins,

Messrs. Ahl, Buckley, Carr, Dannels, Duff (J. K. P.), Epping, Foster, Fox (George), Fox (Gregor),

Geiger, Hayden, Kennedy, Kernan, Kerr, Lagerman,

Lappan, Nusser, O'Neill (John), Ray, Reiman,

Rodgers, Sawyer, Schwarm, Taylor, Weldon.

Before the result of the voting was announced

Mr. **B. Darlington** asked and obtained leave to

change his vote from Lewis to Wenke.

Mr. **Moore** from Lewis to Wenke.

Mr. **Fox (Jno. A.)** from Lewis to Wenke.

And the result of the voting was as follows:

Christopher Magee received one vote.

Daniel Wenke received fifty-two votes.

James J. Larkins received forty votes.

And there being no choice, Council again proceeded

to said election.

And the result of the voting was as follows:

For Christopher Magee,

Mr. Bruce.

For Daniel Wenke,

Messrs. Aiken, Atkinson, Brown (R. B.), Brown

(L. T.), Darlington (B.), Duff (C. P.), Evans, Felker,

Goldthorp, Herron, Holliday, Hunter, Jeremy, Lit-

tell, Meyer, Moore, Murray, McCandless, McCombs,

McClurg, McGimpsey, McKinley, Negley, O'Neill

(Eugene M.), Perry, Powers, Rolfe, Shipton, Singler,

Sorg, Vierheller, Waring, Welsh.

For James J. Larkins,

Messrs. Ahl, Buckley, Carr, Dannels, Duff (J. K.

P.), Epping, Foster, Fox (George), Fox (Gregor),

Geiger, Hayden, Kennedy, Kernan, Kerr, Lagerman,

Lappan, Nusser, O'Neill (John), Ray, Reiman, Ro-

gers, Sawyer, Schwarm, Taylor, Weldon.

And the result of the voting was as follows:

Christopher Magee received one vote.

Daniel Wenke received fifty-one votes.

Chas. W. Lewis received two votes.

James J. Larkins received forty votes.

And there being no choice,

Mr. Neeb, moved,

That the joint session adjourn.

On which motion a division was had and there

were forty-three ayes and forty-two noes.

So the motion prevailed and the joint session ad-

joined, and Select Council returned to their own

chamber.

Mr. **McKinley**, presented,

[324] A petition for gas lamps on Elm street, 16th Ward.

Which was referred to Committee on Gas Lighting.

Mr. **Carr**,

[325] Petition of James Quinn, for an abatement of valuation of real estate in 27th Ward.

Which was referred to the Committee on Appeals from City Assessments.

Mr. **Holliday**,

[326] Resolved, That the Controller be and he is hereby directed and instructed to draw a warrant in favor of S. B. Cooper, for the amount of \$27.50 in payment of postal cards and stamps, from Sept., 1875 to June 1876.

Which, the rule being suspended, was read three times and passed.

Mr. **McCandless**,

[327] Report of expenditures in the Water Department (\$7183.45) for the month of May,

Which was read and received.

Mr. **Hunter**, moved,

[328] Report of expenditures of the committee on City Property for the month of May, viz: \$439.10.

Which was read and accepted.

Mr. **Taylor**,

To suspend the rule for the consideration of C. C. Bill No. 122, An Ordinance authorizing the opening of Union Alley, from Grant street to upper line of estate of L. S. John's (about 105 feet south of Sherman street.)

On which motion a division was had and there were thirty-nine ayes and ten noes, so the motion did not prevail.

On motion Council adjourned.

attest E. S. MORRISON

COMMON COUNCIL.

CEH

W. B. NEGLEY.....PRESIDENT
GEORGE BOOTH.....CLERK

June 12th, 1876.

Council met.

Present—Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Fox, Fritz, Fennerty, Foley, Hahn, Hagan, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Morrison, McCafferty, McClarren, Nantker, Neeb, Nisbet, Rahausen, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Wainwright, Negley, President.

Absent—Atcheson, Dauler, Flinn, Fersen, Helmold, Powers, Torrence.

On motion of Mr. **Rott**, reading of the Minutes was dispensed with.

Mr. **Kerr** presented.

[277] Petition of Conrad Schad, for refunding of overpaid tax.

Which was referred to Committee on Finances.

Mr. **Fox**,

[278] Communication from the Committee of Arrangements of the Eclectic Medical Association of Pennsylvania, requesting the use of Common Council chamber on the 22d and 23d of the present month.

Which was read and received.

Also, the following:

[279] Resolved, That the use of the Common Council chamber be, and the same is hereby tendered "The Eclectic Medical Association of Pennsylvania on the 22d and 23d days of June 1876, for the purpose of holding their Annual Convention."

Which was read.

Mr. **Foley** moved,

To amend by adding the following: Provided Councils do not need the use thereof on those days.

Which prevailed.

That action be indefinitely postponed,

Which prevailed,
Also, from the same Committee affirmatively recommended.

[228 C. C.] Entitled "An Ordinance granting to John D. Negley, privilege to erect weigh scales on Carson street, 30th ward."

Which was read, and the rule being suspended, the bill was read a third time and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Dickson, Fox, Fritz, Fennerty, Foley, Hahn, Hagan, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Wainwright, Negley—25.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee affirmatively,
[S. C. 179] Entitled "An Ordinance authorizing the regrading, repaving and recurbng of Thirty-third street, from Liberty street to Penn avenue."

Which was read,

Mr. **Thompson**, moved,
To refer the bill to the Board of Viewers,
Which did not prevail.

Mr. **Thompson**, moved,
To indefinitely postpone action.

Mr. **Aull**, arose to a point of order,
"That the Act requires that when the property owners abutting on any street, desire to have said street regraded and repaved they shall file a petition and there having been no petition for the regrading and repaving of Thirty-third street therefore the bill could not be passed until such a petition was filed.

The Chair ruled,
The gentleman out of order because the "point of order was not germane to the subject."

And the question recurring on the motion to indefinitely postpone the motion, did not prevail.

Mr. **Foley**, moved,
To suspend the rule for the final passage of the bill.

The Chair overruled the motion, for the reason that the Act of Assembly required that a petition should be presented and referred to the Board of Viewers,

And there being no such petition the bill could not be passed.

Mr. **Rott**, moved,
To refer the Bill to the Board of Viewers,
Which was over ruled by the Chair for the same reason.

Mr. **Fox**, moved,
To postpone action until the next meeting.
Which prevailed.

Mr. **Thompson**, presented,
[300] Report of Viewers on the opening of Harrison street from 50th to 52d street, under Ordinance of December, 1875.

Which was read and received.
Also,

[218 C. C.] An Ordinance authorizing the opening of Harrison street from Fiftieth street to Fifty-second street.

Which was read, and the rules being suspended the bill was read a third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Fox, Fritz, Fennerty, Foley, Hagan, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McCafferty, McClarren, Nantker, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Negley—33.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

The hour fixed for meeting with Select Council in

Joint Session (3 o'clock p. m.) having arrived and Select Council being introduced, Councils met in

JOINT SESSION

For the purpose of electing two persons to be Assistant Assessors.

Whereupon Councils proceeded to said election,

And,

Mr. **Bruce** nominated Christopher Magee.

Mr. **Littell** nominated Daniel Wenke.

Mr. **Littell** nominated Chas. W. Lewis.

Mr. **Kerr** nominated James J. Larkins.

And the result of the voting was as follows:

For Daniel Wenke,

Messrs. Aull, Bell, Boucher, Conway, Dickson, Fritz, Hughes, Kerr, Kettenberg, Mears, Moore, McClarren, Nantker, Neeb, Rahausser, Rott, Thompson, Voskamp, Negley.

For Chas. W. Lewis,

Mr. John A. Fox.

For James J. Larkins,

Messrs. Clark, Coll, Fennerty, Foley, Hagan, Hogle, Kirchner, Laughran, Lemer, McCafferty, Nisbet, Powers, Reynolds, Roth, Robeson.

Before the result of the voting was announced,

Mr. **B. Darlington** asked and obtained leave to change his vote from Lewis to Wenke.

Mr. **Moore**, from Lewis to Wenke.

Mr. **Fox**, from Lewis to Wenke.

And the result of the voting was as follows:

Christopher Magee received one vote.

Daniel Wenke received fifty-two votes.

James J. Larkins received forty votes.

And there being no choice.

Council again proceeded to said election.

And the result of the voting was as follows:

For Daniel Wenke,

Messrs. Aull, Bell, Boucher, Conway, Dickson, Fritz, Hughes, Kettenberg, Mears, Moore, McClarren, Nantker, Neeb, Rahausser, Rott, Thompson, Voskamp, Negley.

For Chas. W. Lewis,

Messrs. Fox and Kerr.

For James Larkins,

Messrs. Clark, Coll, Fennerty, Foley, Hagan, Hogle, Kirchner, Laughran, Lemer, McCafferty, Nisbet, Powers, Reynolds, Roth, Robeson.

And the result of the voting was as follows:

Christopher Magee received one vote.

Daniel Wenke received fifty-one votes.

Chas. W. Lewis received two votes.

James J. Larkins received forty votes.

And there being no choice,

Mr. **Neeb**, moved,

That the joint session adjourn.

On which motion a division was had, and there were forty-three ayes and forty-two noes.

So the motion prevailed.

And the joint session adjourned.

Mr. **Thompson**, presented,

[301] A report from the Board of Viewers on the grading paving and curbing of Harrison street, from 50th to 52d streets.

Which was read and received.

Also,

[217] C. C. entitled, "An Ordinance authorizing the grading, paving and curbing of Harrison street, from Fiftieth street to Fifty-second street.

Which was read, and the rule was suspended.

Mr. **Neeb** moved,

To amend by striking out the words, "Paving and Curbing."

Which prevailed.

And the bill as amended was read the third time.

And on the question, shall the bill pass finally, the ayes and noes were taken agreeably to law, and were,

Ayes—Aull, Bell, Boucher, Clark, Coll, Conway, Dickson, Dauler, Flinn, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle,

Hughes, Kerr, Kettenberg, Kirchner, Langhram, Lemer, Mears, Moore, McClarren, McCafferty, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp Wainwright, Negley, Pre'st.—31.

Noes—None.
And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, [302] Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Wylie avenue, from Kirkpatrick street and Herron avenue.
Which was approved.

Also, [303] Report of the Viewers of Street Improvements on the opening of McCandless avenue, from Stanton avenue to Stanton avenue.
Which was approved.

Also, [304] Report of the Viewers of Street Improvements on the opening of Nottley street, from Hazelwood avenue to Indus street.
Which was approved.

Mr. Aull, presented, [305] An Ordinance changing the grade of Sylvan avenue extension.
Which was referred to the Committee on Surveys.

Mr. Fox, presented, A report from the Committee on Police, covering a statement of their expenditures for the month of May, amounting to \$16,790.50.

Which was read and received.
Also, from the same Committee, negatively recommended.

[253] C. C. Entitled, "An Ordinance fixing the salary of the night officer of the Central Police Station.

Which was read.
Mr. Fox, moved, To postpone action indefinitely.
Which prevailed.

Also, from the same Committee with negative recommendation.

[240] C. C. Entitled, "An Ordinance fixing the salary of the Police force of the City of Pittsburgh.
Which was read.

And on motion of Mr. Fox, action was postponed until the next meeting.

Mr. Hahn, [306] A report from the Committee on Monongahela Wharf, covering their receipts and expenditures as follows:

Receipts.	Wharves.	Expenditures.
\$1,000.00	North Side.	\$147.53
273.40	South Side.	125.70

Which was read and received.

Mr. Aull, (by leave) moved, To recall from S. No. 55, entitled, "An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company. Passed May 8th, 1876.
Which prevailed.

And the bill was returned by Select Council.

Mr. Aull, moved.

That a committee of five be appointed to confer with the officers of the East End Gas Company, relative to the same.

Which prevailed.

And Messrs. Aull, McClarren and Fox, were appointed on part of C. C.

Mr. Thompson, presented,

[308] Report of Viewers on the grading, paving and curbing of Virgin alley, from Grant street to Cherry alley.

Which was received and filed.

Also,

[163] C. C. Entitled, "An Ordinance authorizing the grading, paving and curbing of Virgin alley, from Grant street to Cherry alley.

Which was read.

And the rule being suspended, the bill was read a third time, and on the question, shall the bill pass finally? the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Dickson, Fox, Fritz, Fennerty, Foley, Hahn, Hagan, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Mears, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Negley—31.

Noes—None.

And a majority of the votes being in the affirmative the bill passed finally.

Also, [308] Report of the Viewers on the regrading, repaving and recurring of Virgin alley, from Smithfield street to Cherry alley.
Which was read and received.

Also, [182½ C. C.] Entitled "An Ordinance to authorize the regrading, repaving and curbing of Virgin alley, from Smithfield street to Cherry alley.

Which was read a third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Dickson, Fox, Fritz, Fennerty, Foley, Hahn, Hagan, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Mears, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Negley—31.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Unfinished Business of Common Council.

[152 C. C.] Entitled "An Ordinance establishing grade for west curb of Thirty-fourth street from north curb of Liberty street to Liberty avenue."

Amended in this Council May 8th.

Which was read.

Mr. Aull, moved,

To refer the bill to the Survey Committee.

Which did not prevail.

Mr. Fennerty, moved,

To "Amend the bill by striking out the words "rise of 8.51 feet per 100 feet," and insert in lieu thereof the words "uniform rise."

Which prevailed.

Business from Select Council.

[218 S. C.] An Ordinance amending Section one of an Ordinance entitled "A further supplement to an Ordinance entitled 'An Ordinance authorizing the issuing of bonds to be exchanged for bonds issued in payment of subscriptions to Railroad Companies,' passed 14th July, 1863."

Which was read.

Mr. Kerr, moved.

To postpone action until the next meeting.

Which prevailed.

[301 S. C.] Communication from the Finance Committee covering and recommending Resolution 250 C. C., for a warrant in favor of C. J. Shultz, for the sum of five thousand dollars, in S. C. May 29th, passed finally.

Which, the rule being suspended, was read three times and passed.

[205 S. C.] Entitled "An Ordinance authorizing the Assessor of Water rents to employ assistants to make the assessment.

In S. C., May 29th, passed finally.

Which was read, and the rule being suspended, the bill was read a third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aull, Bell, Boucher, Clark, Coll, Dickson, Fox, Fennerty, Foley, Hahn, Hagan, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Mears, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Robeson, Thompson, Voskamp, Negley—31.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[304 S. C.] Annual Report of the Superintendent of Water Works for 1875.

In S. C. May 29th, read and accepted, and 300 copies ordered to be printed, in which action C. C. concurred.

[314 S. C.] Resolution directing the City Engineer to notify the Pennsylvania Railroad Company to proceed with the construction of 28th street bridge, in S. C., May 29th, passed finally.

Mr. **Thompson**, moved,

To postpone action until next meeting.

Which prevailed.

[312 S. C.] Resolution for the erection of public Gas Lamps by the Pittsburgh Gas Company.

In S. C. May 29th passed finally.

In which action C. C. concurred.

[313 S. C.] Resolution for the erection of public Gas Lamps by the South Side Gas Company.

In S. C. May 29th passed finally.

In which action C. C. concurred.

[321 S. C.] Resolved, By the Select and Common Council of Pittsburgh that the proposition made by George Shiras, Jr., and S. Schoyer, Jr., on behalf of certain stockholders of the Nation Trust Company for the purchase of the claims of the city against the Nation Trust Company for \$240,000, be and the same is hereby accepted, provided the same shall be wholly paid within the period of ninety days from June 15th, 1876, and upon the payment of the said sum of money the Controller is hereby instructed to make assignment of said claim with the interest of the city in the securities pledged for the debts of said company unto the purchasers thereof.

Resolved, further, That for the purpose of affording an opportunity to the proposed purchasers to procure

the necessary money, the trustees are hereby requested to postpone all proceedings for the enforcement of the notes and securities held by them until the expiration of said ninety days from June 15, 1876.

In S. C. June 12th passed finally.

Which, the rule being suspended, was read three times and passed.

[323] Resolution for special election for member of Select Council from Seventh Ward, vice John A. Musgrave resigned.

In S. C. June 12th, passed.

In which action C. C. concurred.

[308] S. C. Report of the Committee on Wooden Buildings.

In S. C. May 29th, read and accepted.

In which action C. C. concurred.

[307] S. C. Report of the the Committee on Markets.

In S. C. May 29th, read and approved.

In which action C. C. concurred.

[310] S. C. "An Ordinance granting Milton Bartley right to erect an iron-clad building."

In S. C. May 29th, passed finally.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, shall the bill pass finally? the ayes and noes were taken agreeably to law, and were,

Ayes—Aull, Boucher, Clark, Coll, Dickson, Fox, Foley, Hahn, Hogle, Hughes, Kerr, Kirchner, Mears, McAfferty, Nantker, Neeb, Reynolds, Roth, Rott, Robeson, Thompson, Negley, President.—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Adjourned.

Pages from 108 to
115 Skipped by Printer
E. D. Monnon

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

THURSDAY, JUNE 29, 1876.

No. 19.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT
E. S. MCKROW.....CLERK

PITTSBURGH, June 29th, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Bates, Brown (R. B.), Brown (L. T.), Brown (S. S.), Bruce, Carr, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Epping, Evans, Felker, Foster, Fox (George), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCombs, MacConnell, McClurg, McKinley, Neglev, O'Neill (Eugene M.), O'Neil (John), Perry, Powers, Ray, Reiman, Rodgers, Rolfe, Sawyer, Schild, Schwarm, Shipson, Singlerly, Sorg, Taylor, Vierheller.

Absent—Messrs. Barkley, Buckley, Denniston, Dietrich, Duff (J. K. P.), Fox (Gregor), Hayden, McCandless, McGimpsey, Nusser, Waring, Weldon, Welsh, Gross.

In the absence of the President, Mr. Aiken was called to preside.

The minutes of the previous meeting were read and approved.

The President presented the following message from the Mayor:

[329] To the Select and Common Council of the city of Pittsburgh.

GENTLEMEN—As you are aware, I vetoed the last Appropriation Ordinance, assigning as a reason that it levied excessively above the amount provided in the Ordinance, to be expended. I now call your attention to facts, derived from official documents, that prove my statement to be correct, and at the same time call your attention to a way in which you can relieve the taxpayers of a portion of this unnecessary load, without "stopping the wheels of government."

It purports on its face to only levy for city tax, water works, interest, fire and sinking fund tax, \$932,000, while in fact under the authority of the Ordinance, there is levied for these purposes alone, the sum of \$1,045,463, instead of \$932,000 as stated in the Ordinance. In other words the excessive sum of \$113,463 is summarily taken from the pockets of taxpayers for a purpose not stated in the Ordinance.

You have it in your power to lift this unnecessary burden from the taxpayer by the exercise of a power that is used at almost every meeting of Councils in favor of persons whose individual or political influence,

either by themselves or their friends, commands attention under the various name of exonerations, abatements, overpaid taxes, etc.

As a specimen of how you can relieve the taxpayers in the mass as well as in the individual, I append from the official proceedings of Councils the following instances of exonerations, which could be duplicated were it necessary.

NAMES.	WARD.	TAXES.				S. Fund.	Special.
		City.	W. W. I.	Fire.			
V. J. Elliot.	Eighth.	\$ 70	\$ 26	\$ 20		\$ 20	\$ 15
W. Wilton.	Sixth.	4 55	1 73	1 30		1 30	96
J. Woodburn.	Twenty-seventh.	4 90	1 86	1 40		1 40	1 40
E. McTernan.	Fourteenth.						
A. Johnston.	Sixteenth.	3 85	1 46	1 10		1 10	83
C. F. Bauersmith.	Eighteenth.	7 00	2 66	2 00		2 00	1 00
Mrs. Wm. Anderson.	Fifteenth.						
Estate of John Crouch.	Thirty-first.	5 25	2 00	1 50		1 50	1 25
J. C. Baldy.	Seventh.	7 00	2 66	2 00		2 00	1 50
M. Halloran.	Thirty-third.						
Larg. Giehl & Thurman.	Eleventh.	35 00	13 33	10 00		10 00	7 50
Mich. Moore.	Twentieth.	1 30	1 30	1 30		1 30	1 30
Sophia Kunzman.	Fourth.	4 55	1 30	1 30		1 30	
Chas. Jacobs.	Twenty-first.	2 70	1 80	60		60	
Miller & Habne.	Twelfth.	2 88	34	25		25	
Wm. Reed.	Fourth.						
Mich. O'Hara.	Twenty-fifth.	5 95	2 26	1 70		1 70	1 70
*G. Mitkowski.	Thirty-first.	2 52	96	72		72	24
W. Nolan.		2 86	1 86	1 40		1 40	
H. Jones.		4 90					
B. Houch.		17 00					

I have cited these instances as only one of the modes in which you can afford relief. If you should

direct an exoneration or abatement, or whatever else you may choose to call it, of twenty per cent. from the four mill tax, called city tax, you will arrive at the relief asked for, about as readily as in any other way.

An examination of the levy for old city special and Lawrenceville special will develop the same deception as is referred to above.

Yours, respectfully,
WM. C. MCCARTHY,
Mayor.

Which was read and received.

Mr. Darlington (B.), presented,

[330] Resolved, by the Select and Common Councils of the city of Pittsburgh, that Phillips and Mosgrove be and are hereby permitted to construct a balcony over the sidewalk, twelve feet square, upon iron pillars, at the entrance of the Central Hotel, Smithfield street, near Third avenue.

Which was read.

Mr. Shipton, moved,

To refer to the Street Committee.

Which did not prevail, and the rule having been suspended, the resolution was read three times and passed.

Also,

[331] Petition for the repaving of Market street, from Fifth avenue to Liberty street.

Which was referred to the Board of Viewers, to report to Councils whether the repaving of said street is of local or general benefit, or partly local; and if they shall report that it is the whole or in part local benefit, to designate the district to be benefited thereby, and the proportion of the cost to be paid by the district benefited.

Mr. Shipton,

[332] A communication from the Chamber of Commerce covering the following:

Resolved, That the City Councils be respectfully urged to have Fifth avenue and Wood street repaved at the earliest possible time, the present condition of these streets being not only a disgrace to the city, but a serious injury to the business of these important thoroughfares.

Which was read and received.

Also,

[333] An Ordinance amending the City Code, title: "Signs and Sign-boards," page 232.

Which was referred to the Ordinance Committee.

Also,

[334] An Ordinance prohibiting the use of awning flaps.

Which was referred to the Ordinance Committee.

Mr. Sawyer,

[335] Petition for the grading of Center avenue, from Neville street to Liberty avenue.

Which was referred to the Road Committee.

Mr. MacConnell,

[336] An Ordinance amending the City Code, title: "Sidewalks, Sections two and three."

Which was referred to the Ordinance Committee.

Also,

[337] A petition from Anna M. Kirkpatrick, asking to have overpaid taxes refunded.

Which was referred to the Finance Committee.

Mr. Littell,

[338] The petition of William Duckham, for the refunding of taxes paid by mistake.

Which was referred to the Committee on Appeals from City Assessments.

Mr. Evans,

[339] A resolution for the payment of John Parkinson and others for damages by the grading of Sylvan avenue.

Which was referred to the Finance Committee.

Mr. Carr,

[340] Petition of Cornelius Callahan for exoneration from assessment for the grading of Barry street.

Which was referred to the Finance Committee.

Mr. Holliday, by leave, called up,

C. C. No. 242. A resolution authorizing the refunding of overpaid taxes.

In C. C. read three times and passed.

And moved to concur in the action of Common Council.

Which motion prevailed.

Mr. Geiger, moved,

To suspend the rules to take up C. C. No. 121, resolution for the satisfaction of the liens against the properties of George Kunkle, John P. Heisel and Wm. Russman, for cost of construction of Yard's alley board-walk.

Upon which motion a division was had, and there were sixteen ayes and fourteen noes.

So the motion did not prevail.

Mr. Vierheller, presented.

[341] Petition of Caroline Kuckert for the abatement of taxes on property in the 36th ward.

Which was referred to the Committee on Appeals from City Assessments.

Also,

[342] Petition of Charles Peacock for abatement of taxes on property in the 36th ward.

Which was referred to the Committee on Appeals from City Assessments.

Mr. Shipton, moved,

To suspend the orders of the day to allow the consideration of business from Common Council.

Which motion prevailed.

Whereupon Council proceeded to the consideration of business from Common Council.

C. C. No. 136, Resolution for a warrant in favor of King & Parks for thirty-four dollars and seventy-eight cents.

In C. C. passed. In which action S. C. did not concur, but referred to Finance Committee.

C. C. No. 123, Resolution authorizing the satisfaction of liens against properties of Geo. Kunkle, John P. Heisel and Wm. Russman.

In C. C. passed.

In which action S. C. concurred.

C. C. Bill No. 101, entitled, "An Ordinance to authorize the repaving of Fifth avenue, from Liberty street to Smithfield street."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown, (L. T.), Buckley, Darlington (B.), Darlington (H.), Duff (C. P.), Epping, Foster, Froehlich, Geiger, Heron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lappan, Littell, O'Neill (E. M.), Powers, Reiman, Rolfe, Sawyer, Schild, Shipton, Taylor, Vierheller—29.

Noes—Messrs. Atkinson, Bates, Brown (S. S.), Bruce, Carr, Dannels, Evans, Felker, Fox (George), Goldthorp, Lagerman, Moore, Murray, McCombs, McClurg, McKinley, Negley, O'Neill (Jno.), Perry, Ray, Rodgers, Schwarm, Singlerly—23.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

The clerk of Common Council being introduced announced, that Common Council was ready to meet Select Council in joint session for the purpose of electing two persons to be Assistant Assessors.

Mr. Shipton moved,

That S. C. proceed to the C. C. Chamber for that purpose.

On which motion the ayes and noes were demanded by Mr. Kennedy, and, being taken, were:

Ayes—Messrs. Aiken, Atkinson, Bates, Brown (R. B.), Brown (Sam. S.), Brown (L. T.), Bruce, Darlington (B.), Duff (C. P.), Evans, Felker, Froehlich, Goldthorp, Heron, Holliday, Hunter, Jeremy, Littell, Meyer, Moore, Murray, McClurg, McKinley, Negley, Perry, Powers, Rolfe, Sawyer, Schild, Shipton, Singlerly, Vierheller—32.

Noes—Messrs. Ahl, Buckley, Carr, Dannels, Epping, Foster Fox (Geo.), Geiger, Kennedy, Kernan, Kerr, Lagerman, Lappan, MacConnell, O'Neill (Jno.), Ray, Reiman, Rodgers, Schwarm, Taylor—20.

So the motion prevailed.

Whereupon Council proceeded to the Common Council chamber for that purpose.
And being so, met in

JOINT SESSION.

President Negley, of Common Council presented,
The following:

PITTSBURGH, June 17, 1876.
SIR—By an Act of the Assembly, entitled "An Act providing for the classification of real estate for purposes of taxation, and for the appointment of Assessors in cities of second class," approved May 5th, 1876, P. L., 1876, p 124, the members of the Select and Common Councils of the city of Pittsburgh, (a city of the second class) met June 12th, 1876, in Joint Session, to elect the two Assistant Assessors, provided for therein. Candidates were put in nomination and a vote was proceeded with (there having been 93 Councilmen out of 115 members present). When

Daniel Wenke had 52 votes.

J. J. Larkins had 40 votes.

Christopher Magee had 1 vote.

When as presiding officer of the Joint Session, I declared that there was no election, because it requires 58 votes to elect. See Act of Assembly, entitled "A Further Supplement to the Acts incorporating the city of Pittsburgh, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization, and submitting the proposed consolidation to a vote of the people." Approved April 6th, 1867 P. L. p 846. Wherein it is provided in Section 24 that "all appointments of officers, made by the city Councils, shall be by a *viva voce* vote, and a concurrence of a majority of the whole number of members elected, shall be required, the names of those voting, and for whom they voted, to be entered in the journal of proceedings, shall be recorded in the journal of proceedings."

It is claimed by some that you have given an opinion prior to the joint meeting, that two persons having the highest number of votes would be elected, regardless of majorities.

It has seemed to me that you could not have been made acquainted with the Act of 1867, from which I have quoted—and therefore submit the question to you officially—as the Joint Session of Councils after having taken two ballots of like result stood adjourned and will meet again on this question.

If I am wrong and the two persons having the highest number—regardless to majorities—are elected then our work is done; but if I am right, I will need your opinion before the 26th instant.

Those who hold to the view that the Assessors are already elected—quote from the last *proviso* of the 1st Section, of the 1st mentioned Act herein—viz: "And provided further, that whenever two Assessors are to be chosen for the same term of service, each member of Council shall vote for only one and when three are to be elected he shall vote for no more than two."

And Section 6th of the same Act, "All laws inconsistent or conflicting with the provisions of this Act, shall be and they are hereby repealed."

Respectfully,

W. B. NEGLEY,

Pres't. of C. C. of the City of Pittsburgh.
To Hon. GEORGE LEAR,
Att'y Gen. of Penn'a.

HARRISBURG, June 20, 1876.

DEAR SIR—Yours of the 17th inst. is received. As your election of Assessors is peculiarly a matter for your city, and you have some of the ablest lawyers in the State. I do not wish to be understood, as interfering in your local business, except in an advisory manner.

I have no interest personally, officially, or politically in the result, but if I can aid you in solving the difficulty will cheerfully do so.

The Act of May 5th, 1876, is as much a part of your

charter, as the Act of April 6th, 1867, and where two Acts cannot be reconciled, the latter must prevail, "*Leges posteriores priores contrarias abrogant.*" And this would be the result without a repealing clause; but in the Act of 1876, there is a repealing Section in these words, "All laws inconsistent or conflicting with the provisions of this Act, shall be and they are hereby repealed."

The Act of 1867 provides that "all appointments of officers made by the city Councils shall be by a *viva voce* vote, and a concurrence of a majority of the whole number of members elected shall be required." The Act of 1876 providing for the election of Assessors, among other things, enacts "that whenever two Assessors are to be chosen for the same term of service, each member of Council shall vote for one only." Two Assessors are now to be elected, and no member of Council can vote for more than one—You have one hundred and fifteen members, and how you can get two majorities out of that or any other number is a problem in arithmetic too abstruse for my comprehension.

It was the very object of the law to give the minority a representation.

A majority of the whole number elected may be secured at another meeting for one, but cannot be for both. If you then adjourn again you cannot improve it at a subsequent meeting, for those who have voted for the Assessor elected will have exhausted their power—they cannot vote for another—They can no more vote for two at different times, they can at the same meeting—such an attempt would be an evasion of the law.

While I have but little faith in the system of minority representation, and believe in the principle that majorities should rule, I believe still more firmly that the law as it is, should be enforced.

Yours truly,
GEORGE LEAR.

Hon. WM. B. NEGLEY.

Which were read.

Whereupon,

President Negley announced,

That, Whereas he had decided at the joint session held June 12th, that there was no election for Assistant Assessors, and that since that time had become satisfied that said decision was erroneous, he therefore withdrew that decision, and now decided that Dan'l Wenke and Jas. J. Larkins were duly elected Assistant Assessors for the ensuing term.

And the business of the joint session being over, Select Council returned to its own chamber.

C. C. Bill No. 182½, entitled, "An Ordinance to authorize the regrading, repaving and curbing of Virgin alley, from Smithfield street to Cherry alley.

Which was read,

And the rule being suspended, the bill was read a second and a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Bates, Brown (L. T.), Bruce, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Foster, Fox (Geo.), Froehlich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Keran, Kerr, Lagerman, Lappan, Littell, Meyer, Murray, MacConnell, McClurg, McKinley, O'Neill (E. M.), O'Neill (J.), Powers, Rodgers, Sawyer, Schild, Schwarm, Shipton, Singler—38

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 163, entitled, "An Ordinance authorizing the grading, paving and curbing of Virgin alley, from Grant street to Cherry alley.

Which was read,

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Brown (L. T.), Bruce, Buckley, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Epping, Evans, Fox (Geo.), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Murray, MacConnell, McClurg, McKinley, O'Neill, (E. M.), O'Neil (J.), Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Singlerly, Taylor, Vierheller—47.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. No. 103, Resolution directing City Attorney to satisfy liens against property of James Mawhinney, deceased, in C. C. passed. In which action S. C. refuse to concur.

C. C. Bill No. 218, entitled, "An Ordinance authorizing the opening of Harrison street, from Fiftieth street to Fifty-second street.

Which was read,

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Bates, Brown (L. T.), Bruce, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Epping, Evans, Foster, Fox (Geo.), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Littell, Meyer, Moore, Murray, MacConnell, McClurg, O'Neill (E. M.), O'Neil (J.), Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Taylor—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Evans moved,

To reconsider action on the final passage of C. C. Bill No. 101, entitled, "An Ordinance to authorize the repaving of Fifth avenue, from Liberty street to Smith-field street.

On which motion a division was had, and there were twenty-eight ayes and thirteen noes, so the motion prevailed.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (L. T.), Bruce, Buckley, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Epping, Foster, Fox (Geo.), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, O'Neill (E. M.), O'Neil (J.), Perry, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Taylor, Vierheller—40.

Noes—Messrs. Atkinson, Bates, Carr, Dannels, MacConnell, McClurg, McKinley, Singlerly—8.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 102, entitled, "An Ordinance authorizing the repaving of Wood street from Water street to Liberty street.

Which was read.

And the rules being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (L. T.), Bruce, Buckley, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Epping, Foster, Fox (Geo.), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, O'Neill (E. M.), O'Neil (John), Perry, Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Taylor, Vierheller—40.

Noes—Messrs. Atkinson, Bates, Carr, Dannels, MacConnell, McClurg, McKinley, Singlerly—8.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Holliday presented the following:

[344] Resolved, That when Council adjourns, it adjourn to meet on Monday the 3d of July, at 2

o'clock, to consider the unfinished business on the desk.

Which was read and passed.

C. C. Bill No. 210, entitled, "An Ordinance establishing the grade of Duquesne-way, from Fifth street to Sixth street.

Which was read,

And the rule being suspended, the bill was read a third time and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barckley, Bates, Bruce, Carr, Dannels, Darlington (H.), Epping, Evans, Fox (Geo.), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Jeremy, Kerr, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McKinley, O'Neill (E. M.), O'Neil (J.), Ray, Reiman, Rodgers, Schild, Schwarm, Shipton, Taylor—36.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. O'Neill (E. M.), the following:

[345] Resolved, That the Water Committee report to Councils the present status of the work under their charge, and also the least possible amount needed to get the new works in operation; as well as the amount of penalties incurred by the contractors for delay.

Resolved, further, That the Committee and the City Solicitor be requested to report what is still necessary to secure the city such penalties as have already accumulated or may be incurred hereafter by delays on the part of the contractors.

Which was read and passed.

On motion Council adjourned.

attest E. S. MORRIS
CLK

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, June 26th, 1876.

Council met.

On motion, Mr. Fox was called to the chair.

Present—Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Feinerty, Person, Foley, Hahn, Hagan, Helmsold, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley, Pres't.

Absent—Bell, Clark, Coll, Dauler, Flinn, Kerr, Rahausser, Robeson.

On motion of Mr. Atcheson, reading of the minutes was dispensed with.

Mr. Neeb presented,

[309] Petition of W. W. Wallace for reduction of valuation.

Which was referred to the Board of Viewers.

Also,

[310] Resolution for postponement of election of Assistant Assessors until first meeting in September.

No action.

Mr. Thompson,

[311] Petition of P. W. Cody for exoneration from payment of taxes.

Referred to Committee on Appeals.

Also,

[312] Remonstrance against change of grade on Sylvan avenue extension.

Referred to Survey Committee.

Also,

[313] Remonstrance against change of grade on Sylvan avenue extension.

Referred to Survey Committee.

Also the following:

[314] Whereas the contract for street lamp signs was awarded to S. Morrow, and approved by the Councils of 1875, therefore

Resolved, That the Street Committee be and are hereby directed to designate the points where said signs shall be placed.

Which, the rules being suspended, was read and passed finally.

Mr. Atcheson,

[315] Petition for gas lamps on Liberty street, between 21st and 22d streets.

Referred to Committee on Gas Lighting.

Mr. Nantker,

[316] A resolution directing the Street Commissioner of the Sixth District, to notify the Pittsburgh and Birmingham Passenger Railway Co. to repair Carson street, between Fifth and Sixth streets, from curb to curb.

Which was referred to the Committee on Streets.

Mr. Boucher,

[317] Remonstrance against the filing of liens for Neville street board walk.

Referred to Committee on Streets.

Mr. Thompson presented,

[318] Report of the Viewers of Street Improvements on S. C. No. 292, entitled, "An Ordinance authorizing the opening of Reed street, from Overhill street to Dinwiddie street.

Which was read and received.

Also,

[292 S. C.] entitled, "An Ordinance authorizing the opening of Reed street, from Overhill street to Dinwiddie street.

Which was read, and the rules were suspended, and the bill was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley—34.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

[319] A report from the Board of Viewers of Street Improvements on No. 182, C. C. entitled "An Ordinance authorizing the opening of Knox avenue from Brownsville avenue to the city line.

Which was read and received.

Also,

[182 C. C.] Entitled "An Ordinance authorizing the opening of Knox avenue from Brownsville avenue to the city line.

Which was read, and the rules being suspended, the bill was read a third time, and on the question, "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Ferson, Foley, Hagan, Helms, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Powers, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright—31.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. Aull presented,

[320] "An Ordinance establishing the grade of Homewood avenue."

Which was referred to the Committee on Surveys.

Also,

[321] "An Ordinance fixing the grade of Sylvan Avenue Extension."

Referred to Committee on Surveys.

UNFINISHED BUSINESS OF COMMON COUNCIL.

[218 S. C.] Entitled "An Ordinance amending section one of an ordinance entitled 'a further supplement to an ordinance entitled an ordinance authorizing the issuing of bonds to be exchanged for bonds issued in payment of subscriptions to Railroad Companies, passed 14th July, 1863.'"

In C. C., June 12th, 1876, read and action postponed.

Which was read.

And the rule being "suspended the bill" was read a third time.

And on the question: "Shall the bill pass finally," the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Ra-hauser, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[152] C. C. Entitled "An Ordinance establishing grade for the west curb of Thirty-fourth street, from North curb of Liberty street to Liberty avenue. In C. C. June 12th amended.

Which was read a third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Boucher, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helms, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Reynolds, Roth, Rott, Thompson, Torrence, Voskamp, Wainwright, Negley—34.

Noes—Mr. Aull—1.

And a legal majority of the votes of Common Council being in the affirmative the bill passed finally.

Business from Select Council,

[328 S. C.] Report from Committee on City Property for the month of May,

In S. C. June 12th, read and accepted.

In which action C. C. concurred.

[327 S. C.] Report of Committee on Water Covering Expenditures for May.

In S. C., June 12th, 1876, read and accepted.

In which action C. C. concurred.

[326 S. C.] Resolution for warrant in favor of S. B. Cooper, for twenty-seven dollars and fifty cents, for postage stamps, etc.

In S. C., June 12th, passed finally.

Which, the rule being suspended, was read a third time and passed.

[330 S. C.] Resolution granting to Phillips and Mosgrove, the privilege to erect a balcony in front of the Central Hotel.

In S. C., June 29th, passed finally,

In which action C. C. concurred.

[315 S. C.] Resolution directing the Water Committee to have Water pipes laid on Thirty-third street.

In S. C., May 29th, 1876, passed finally.

In which action C. C. concurred.

[302 S. C.] Communication from the Finance Committee returning with a negative recommendation.

[C. C. 251] Resolution for a warrant in favor of Robert Ellis, for the sum of \$3,000.

In S. C., May 29th, 1876, read, received and adopted.

In which action C. C., concurred.

[309 S. C.] Entitled "An Ordinance granting Edward McDermott the privilege to erect a frame house.

In S. C., May 29th, 1876, passed finally.

Which was read and the rules being suspended, the bill was read a third time, and on the question, "Shall

the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmold, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbit, Powers, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[257 S. C.] Entitled "An Ordinance authorizing the assessment of damages and benefits caused by the change of grade of Madison street, from Fifth avenue to Forbes street."

In S. C., May 29th, passed finally.

Which was read, and the rules being suspended, the bill was read a third time, and on the question: "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Fennerty, Ferson, Foley, Hahn, Hagan, Helmold, Hogle, Hughes, Kettenberg, Kirchner, Laughran, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbit, Powers, Reynolds, Roth, Rott, Robeson, Thompson, Torrence, Voskamp, Wainwright, Negley—35.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[253 S. C.] Report of Viewers on the Extension of Sewer on Forty-second street, or property of Michael McCullough.

In S. C., April 24th, read and accepted.

In which action C. C. concurred.

[305 S. C.] Water Assessor's Report for the year 1875.

In S. C., May 21th, 1876, read and accepted, and three hundred copies ordered to be printed.

In which action C. C. concurred.

[331 S. C.] Petition for the repaving of Market street, from Fifth avenue to Liberty street.

In S. C., June 26th, referred to Board of Viewers for report as to whether the improvement will be of local or general benefit.

In which action C. C. concurred.

Mr. **Dickson** presented the following resolution: Resolved, In view of the differences existing between the City of Pittsburgh, the Pennsylvania Railroad Company and the citizens and property holders in the neighborhood of Thirty-third street, relative to the expense of construction of the approach to Thirty-third street bridge under the existing ordinances, that a committee of five; three from Common Council, and two from Select Council be appointed, to confer with the authorities of said railroad company and a committee of said citizens, for the purpose of securing an adjustment of said differences.

Which was read and passed.

Mr. **Nisbet**,

[323] Whereas, It appears that the Fire Commission are about to have erected Engine Houses in the South Side hill wards; we would most respectfully urge the importance of location, and having understood the intention of the Commission to be the erection of one engine house in upper end of Twenty-seventh ward, and the other between Thirty-first and Thirty-second wards;

And by this arrangement leaving the lower end of Twenty-seventh, the Thirty-first and lower end of Thirty-second and Thirty-fifth wards without any protection; Therefore,

Resolved, That the Fire Commission be requested and instructed to erect one engine house in the Thirty-first ward and one in the Thirty-second ward, by which location lower precinct of Twenty-seventh, Thirty-first, Thirty-second and Thirty-fifth wards will receive proper fire protection.

Which was read.

Mr. **Nisbet** moved

That the resolution be adopted and referred to the Fire Commission.

Mr. **Neeb** moved

To refer the resolution to the Fire Commission.

Mr. **Hughes** moved

To amend by referring the resolution to a special committee of five; three from Common Council, and two from Select Council, in conjunction with the Fire Commission.

Which prevailed.

Mr. **Fox** presented

[324] A petition for the repaving of Thirty-third street, from Penn avenue to Liberty avenue.

Which was received and filed.

Also, the following:

[325 C. C.] Resolved, by the Select and Common Councils of the City of Pittsburgh, That in view of the contemplated grand celebration in honor of the Centennial Anniversary of the Declaration of Independence on the coming Fourth of July, 1876, the citizens of this city be and they are hereby requested to decorate their houses with national flags and emblems in recognition of this important event in the history of our country, and that they prepare for a grand illumination in the evening. That the citizens be especially urged to be properly represented in the daylight procession, and to otherwise appropriately celebrate the day.

Resolved further, That upon the sounding of the fire alarm bell in the belfry of Municipal Hall of the hour of 12 o'clock, midnight of July 3d—4th; that Hutchinson's Battery shall fire a national salute, and that the School and Church Boards be requested to ring the several bells under their respective charge from the hour of 12 o'clock, midnight of July 3d—4th to one o'clock of July 4th, in honor of the One Hundredth Anniversary of American Independence.

Which, the rule being suspended, was read a third time and passed.

Mr. **Boucher** moved

That the Clerk be directed to notify Select Council that Common Council were now ready to meet with them in Joint Session for the purpose of electing Assistant Assessors

On which the ayes and noes were demanded by Mr. **Foley**, and the demand being sustained the call was ordered, and were:

Ayes—Messrs. Atcheson, Aull, Boucher, Conway, Dickson, Fox, Fritz, Ferson, Hahn, Hughes, Kettenberg, Mear, Moore, McClarren, Nantker, Neeb, Rott, Torrence, Voskamp, Wainwright, Negley—21.

Noes—Messrs. Fennerty, Foley, Hagan, Helmold, Hogle, Kirchner, Laughran, Lemer, McCafferty, Nisbet, Powers, Reynolds—12.

And the motion prevailed, and Select Council was so notified.

Mr. **Kettenberg** presented.

[326] Resolved, That the Committee on City Property be instructed to procure three grapping hooks and ropes, to be located—one in Municipal Hall, one at Twelfth Ward Station House, and one at the South Side Market House.

Which, the rule being suspended, was read a third time, and finally passed.

Mr. **Neeb** presented.

[327] Resolved, That the Water Committee report to Councils the present status of the work under their charge, and also the least possible amount needed to get the new works in operation, as well as the amount of penalties incurred by the contractors for delay.

Resolved further, That the Committee and the City Solicitor be requested to report what is still necessary to secure to the city such penalties as have already accumulated or may be incurred hereafter, by delay, on the part of contractors.

Which was read and passed.

To the Select and Common Councils of the City of Pittsburgh:

[329 S. C.] GENTLEMEN—As you are aware I vetoed the last appropriation ordinance, assigning as a reason that it levied excessively above the amount provided in the ordinance to be expended. I now call your attention to the facts derived from official documents that may prove my statement to be correct, and at the same time call to your attention a way in which you can relieve the taxpayers of a portion of this unnecessary load without "stopping the wheels of the Government."

The ordinance purports on its face to levy only for city tax, water works interest, fire and sinking fund tax, \$932,000, while, in fact, under the authority of the ordinance, there is levied for these purposes alone the sum of \$1,161,625, of which sum almost 10 per cent. must be deducted for what is called exonerations, abatements, overpaid taxes, lost taxes, &c., which will leave a net sum of \$1,045,403, instead of \$932,000, as stated in the ordinance for these four millages. In other words, the excessive sum of \$113,463 is surreptitiously taken from the pockets of the taxpayers, for a purpose not stated in the ordinance.

You have it in your power to lift this unnecessary burthen from the taxpayers by the exercise of a power that is used at almost every meeting of Councils, in favor of persons whose individual or political influence, either by themselves or their friends, commands attention, under the various name of exonerations, abatements, overpaid taxes, &c.

As a specimen of how you can relieve the taxpayers in the mass as well as in the individual, I append from the official proceedings of Councils the following instances of exonerations, which can be duplicated were it necessary.

[Here follows a list of twenty-two taxpayers whose taxes were exonerated by resolution of Councils passed on the 27th of December, 1875.]

I have cited these instances as only one of the ways you can afford relief. If you should direct an exonerations, or abatement, or whatever else you may choose to call it, of 20 per cent. from the 4 mill tax, called city tax, you will arrive at the relief asked for about as readily as any other way.

An examination of the levy for old city special and Lawrenceville special tax will develop the same deception as is referred to above.

Yours, respectfully,

WM. C. MCCARTHY.

June 26th, 1876.

Mr. Aull moved

To lay the communication on the table,

Which did not prevail.

Mr. Fox moved

To receive and file the paper,

Which prevailed.

And, on motion Mr. Foley, the communication was referred to the Committee on Finance.

JOINT SESSION.

On motion, the Clerk was directed to announce to Select Council that this body was now ready to meet it in Joint Session, for the purpose of electing two persons to be Assistant Assessors.

Which was done.

And Select Council being introduced, and being so, met in Joint Session.

President Negley, of C. C., presented the following:

PITTSBURGH, June 17, 1876.

SIR—By an Act of the Assembly, entitled "An Act providing for the classification of real estate for purposes of taxation, and for the appointment of Assessors in cities of second class," approved May 5th, 1876, P. L., 1876, p 124, the members of the Select and Common Councils of the city of Pittsburgh, (a city of the second class) met June 12th, 1876, in Joint Session, to elect the two Assistant Assessors, provided for therein. Candidates were put in nomination and a vote was

proceeded with (there having been 93 Councilmen out of 115 members present). When

Daniel Wenke had 52 votes.

J. J. Larkins had 40 votes.

Christopher Magee had 1 vote.

When as presiding officer of the Joint Session, I declared that there was no election, because it requires 58 votes to elect. See Act of Assembly, entitled "A Further Supplement to the Acts incorporating the city of Pittsburgh, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization, and submitting the proposed consolidation to a vote of the people." Approved April 6th, 1867 P. L. p 846. Wherein it is provided in Section 24, that "all appointments of officers, made by the city Councils, shall be by a *viva voce* vote, and a concurrence of a majority of the whole number of members elected, shall be required, the names of those voting, and for whom they voted, on the vote resulting in an appointment, shall be recorded in the journal of proceedings."

It is claimed by some that you have given an opinion prior to the joint meeting, that two persons having the highest number of votes would be elected, regardless of majorities.

It has seemed to me that you could not have been made acquainted with the Act of 1867, from which I have quoted—and therefore submit the question to you officially—as the Joint Session of Councils after having taken two ballots of like result, stood adjourned and will meet again on this question.

If I am wrong and the two persons having the highest number—regardless to majorities—are elected, then our work is done; but if I am right, I will need your opinion before the 26th instant.

Those who hold to the view that the Assessors are already elected—quote from the last *proviso* of the 1st Section, of the 1st mentioned Act herein—viz: "And provided further, that whenever two Assessors are to be chosen for the same term of service, each member of Council shall vote for only one and when three are to be elected he shall vote for no more than two."

And Section 6th of the same Act, "All laws inconsistent or conflicting with the provisions of this Act, shall be and they are hereby repealed."

Respectfully,

W. B. NEGLEY,

Pres't. of C. C. of the City of Pittsburgh.

To Hon. GEORGE LEAR,
Att'y Gen. of Penn'a.

HARRISBURG, June 20, 1876.

DEAR SIR—Yours of the 17th inst. is received. As your election of Assessors is peculiarly a matter for your city, and you have some of the ablest lawyers in the State. I do not wish to be understood, as interfering in your local business, except in an advisory manner.

I have no interest personally, officially, or politically in the result, but if I can aid you in solving the difficulty will cheerfully do so.

The Act of May 5th, 1876, is as much a part of your charter, as the Act of April 6th, 1867, and where two Acts cannot be reconciled, the latter must prevail, "*Leges posteriores priores contrarias abrogant.*" And this would be the result without a repealing clause; but in the Act of 1876, there is a repealing Section in these words, "All laws inconsistent or conflicting with the provisions of this Act, shall be and they are hereby repealed."

The Act of 1867, provides that "all appointments of officers made by the city Councils shall be by a *viva voce* vote, and a concurrence of a majority of the whole number of members elected shall be required." The Act of 1876 providing for the election of Assessors, among other things, enacts "that whenever two Assessors are to be chosen for the same term of service, each member of Council shall vote for only one." Two Assessors are now to be elected, and no member of Council can vote for more than one—You have one

hundred and fifteen members, and how you can get two majorities out of that or any other number is a problem in arithmetic too abstruse for my comprehension.

It was the very object of the law to give the minority a representation.

A majority of the whole number elected may be secured at another meeting for one, but cannot be for both. If you then adjourn again you cannot improve it at a subsequent meeting, for those who have voted for the Assessor elected will have exhausted their power—they cannot vote for another—They can no more vote for two at different times, they can at the same meeting—such an attempt would be an evasion of the law.

While I have but little faith in the system of minority representation, and believe in the principle that *majorities should rule*, I believe still more firmly that the law as it is, should be enforced.

Yours truly,
GEORGE LEAR.

HON. WM. B. NEGLEY.

Which were read.

Whereupon,

President **Negley** announced,

"That Whereas, he had decided that the Joint Session, held June 12, 1876, that there was no election for Assistant Assessors, and that since that time he had become satisfied that said decision was erroneous. He, therefore, withdrew that decision, and now decided that Daniel Wenke and James J. Larkins were duly elected Assistant Assessors."

And the business of the Joint Session being over, Select Council retired to its own chamber.

Mr. **Foley** called up No. 324 C. C., entitled "A Petition for the repaving of Thirty-third street from Penn to Liberty avenues."

Which this day was read and received.

And moved

That it be referred to the Board of Viewers of Street Improvements.

Which motion prevailed.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

THURSDAY, JULY 3, 1876.

No. 20.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT
E. S. MCMORROW.....CLERK

PITTSBURGH, July 3d, 1876.

Select Council met.

Present—Messrs. Aiken, Atkinson, Bates, Brown
(R. B.), Bruce, Denniston, Fox (Gregor), Goldthorp,
Herron, Hunter, Lagerman, Littell, Moore, Murray,

MacConnell, M'Kinley, O'Neill (E. M.), Schwarm,
Shipton, Sorg, Taylor, Waring.

Absent—Messrs. Ahl, Barclay, Buckley, Carr,
Dannels, Darlington (B.), Darlington (H.), Dietrich,
Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker,
Foster, Fox (George), Froehlich, Geiger, Hayden,
Holliday, Jeremy, Kennedy, Kernan, Kerr, Lappan,
Meyer, McCandless, McCombs, McClurg, McGimpsey,
Negley, Nusser, O'Neil (John), Perry, Powers,
Ray, Reiman, Rodgers, Rolf, Sawyer, Schild, Singerly,
Vierheller, Weldon, Welsh, Gross.

And there being no quorum,

Mr. Shipton, moved,

That Council adjourn to meet on Thursday next,
July 6th, at 2 o'clock.

Which motion did not prevail.

And Council adjourned.

attest

E. S. MCMORROW

Clerk

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, JULY 10, 1876.

No. 21.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT
E. S. MORROW.....CLERK

PITTSBURGH, July 10, 1876.

Council met.

Present—Messrs. Aiken, Bates Brown (R. B.), Buckley, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Herron, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), O'Neill (Jno.), Powers, Ray, Reiman, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Taylor, Weldon.

Absent—Messrs. Ahl, Atkinson, Barckley, Brown (S. S.), Brown (L. T.), Bruce, Carr, Denniston, Dietrich, Duff (J. K. P.), Epping, Felker, Froehlich, Hayden, Holliday, Jeremy, Lappan, McCombs, Nusser, Perry, Rolfe, Singler, Vierheiler, Waring, Welsh, Gross.

In the absence of the President, Mr. Aiken was called to the Chair.

On motion of Mr. **O'Neill (John)**, the reading of the minutes was dispensed with.

The President presented,

[346] A certificate from the Prothonotary of the Court of Common Pleas, certifying to the election of H. I. Gourley, as a member of the Select Council, from the Seventh ward, in the stead and for the unexpired term of John A. Musgrave, resigned.

Which was read and approved.

And Mr. Gourley being present, took the oath of office, which was administered him by the President.

Mr. **Hunter**, moved,

That the order of the day be suspended, to allow the consideration of the unfinished business from Common Council, on the desk.

Which motion prevailed.

[C. C., Bill No. 128.] Entitled "An Ordinance authorizing the grading, paving and curbing of Smallman street, from Thirty-sixth street to Thirty-seventh street."

Which was read.

And on motion of Mr. **Weldon**, further action was postponed.

[C. C., Bill No. 211½] Entitled "An Ordinance establishing the grade of First street, from Penn avenue to Duquesne Way."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (R. B.), Brown (L. T.), Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kennedy, Kerr, Lagerman, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, Negley, O'Neill (E. M.), O'Neill (John), Ray, Reiman, Rodgers, Sawyer, Schwarm, Sorg, Taylor, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C., Bill No. 211] Entitled "An Ordinance establishing the grade of Duquesne Way, from the west curb of First street, to a point 273.88 feet west of west line of Point alley."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C., Bill No. 210] Entitled "An Ordinance establishing the grade of Duquesne Way from Fifth street to Sixth street."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (R. B.), Brown (L. T.), Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (Geo.), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), O'Neill (John), Powers, Ray, Reiman, Rodgers, Sawyer, Schwarm, Shipton, Sorg, Taylor, Weldon—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C., Bill No. 209] Entitled "An Ordinance establishing the grade of Green alley, from Penn avenue to Duquesne Way."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C., Bill No. 207] Entitled "An Ordinance establishing the grade of Second street, from Penn avenue to Duquesne Way."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the

bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), O'Neil (John), Powers, Ray, Rodgers, Sawyer, Schwarm, Shipton, Taylor, Weldon—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 208, entitled "An Ordinance establishing the grade of Fort street from Penn avenue to Duquesne way.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Darlington (B.), Darlington (H.), Duff (C. P.), Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kennedy, Kernan, Kerr, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neil (John), Powers, Ray, Reiman, Rodgers, Sawyer, Schwarm, Sorg, Taylor, Weldon—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

S. C. Bill No. 127, entitled, An Ordinance changing the name of First street, formerly Point street, to Fort street.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neil (John), Powers, Ray, Reiman, Rodgers, Sawyer, Schwarm, Sorg, Taylor, Weldon—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

S. C. Bill No. 80, entitled, An Ordinance locating Station street from Frankstown avenue to Penn avenue.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Darlington (B.), Darlington (H.), Duff (C. P.), Evans (C.), Foster, Fox (George), Fox (Gregor), Geiger, Gourley, Goldthorp (S. H.), Herron, Hunter, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, Negley, O'Neill (Eugene M.), O'Neil (John), Powers, Ray, Reiman, Sawyer, Schwarm, Shipton, Sorg, Taylor, Weldon—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 122, entitled, An Ordinance authorizing the opening of Union alley from Grant street to upper line of estate of J. S. Johns, about one hundred and five feet south of Sherman street.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall

the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Buckley, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Gourley, Goldthorp, Herron, Hunter, Kernan, Kerr, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neil (John), Powers, Ray, Reiman, Rodgers, Sawyer, Schwarm, Shipton, Sorg, Taylor, Weldon—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. Bill No. 217, entitled, An Ordinance authorizing the grading of Harrison street from Fiftieth to Fifty-second street.

Which was read.

Mr. Weldon, moved,

To postpone action for the present, which motion prevailed.

S. C. Bill No. 86, entitled, "An Ordinance relating to the sale of merchandise in the City of Pittsburgh.

Which in S. C., April 24, 1876, was read a second time and amended.

Was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Gourley, Herron, Hunter, Kennedy, Kerr, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), Powers, Reiman, Sawyer, Shipton, Sorg, Taylor—28.

Noes—Messrs. Bates, Geiger, Kernan, O'Neil (John), Rodgers—5.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

C. C. Bill No. 152, entitled, "An Ordinance fixing the grade for the west curb of Thirty-fourth street from north curb of Liberty street to Liberty avenue.

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Moore, Murray, Musgrave, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (Eugene M.), O'Neil (John), Powers, Ray, Reiman, Sawyer, Shipton, Sorg, Taylor, Weldon—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

S. C. Bill No. 112, entitled, An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company.

Which was read.

Mr. Weldon moved,

To refer the bill to a Special Committee of five, (three from Common and two from Select Council).

On which motion a division was had, and there were twenty-three ayes and fourteen noes.

So the motion prevailed.

And Messrs. Weldon and H. Darlington were appointed on the part of Select Council.

Mr. Kennedy, presented the following papers:

[347] An Ordinance changing the width of Bluff street, from Gist street to angle west of Chestnut street.

[348] An Ordinance for the grading, paving and curbing of Shingiss street, from Bluff street to Locust street.

[349] An Ordinance authorizing the pav-

ing and curbing of Bluff street, from Gist street to Suingsiss street.

Which was referred to the Street Committee.

Mr. Hunter,

[350] An Ordinance establishing the grade of Union alley, from Irwin alley to Grant street.

[351] An Ordinance authorizing the construction of a sewer on Forty-seventh street, from Allegheny Valley Railroad to the Allegheny river.

Which were referred to the Street Committee.

ALSO,

[352] Petition of James Shidle for refunding overpaid taxes.

Which was referred to the Committee on Appeals from City Assessments.

Mr. Taylor,

[353] Petition of Robert Ellis for payment of amount due him for grading and paving of Forty-second street.

Which was referred to the Finance Committee.

[C. C., Bill No. 129] Entitled "An Ordinance authorizing the opening of Exchange alley, from Barker's alley to Seventh street.

Which was read.

And the rule being suspended the bill was read a second and third time;

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (L. T.), Buckley, Darlington (H.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Gourley, Goldthorp, Herron, Hunter, Kennedy, Kernan, Kerr, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, Negley, O'Neil (E. M.), O'Neil (John), Powers, Ray, Reiman, Rodgers, Sawyer, Schwarm, Shipton, Sorg, Taylor, Weldon—36.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. Shipton demanded a call of the House.

Which was ordered.

And the roll being called the following members answered to their names,

Messrs. Aiken, Bates, Brown (L. T.), Buckley, Darlington (B.), Darlington (H.), Evans, Foster, Fox (George), Fox (Gregor), Geiger, Goldthorp, Gourley, Herron, Hunter, Kennedy, Kernan, Kerr, Littell, Myer, Moore, Murray, McCandless, McClurg, McGinley, Negley, O'Neil (Eugene M.), O'Neil (John), Powers, Ray, Rodgers, Sawyer, Schild, Schwarm, Shipton, Sorg, Taylor, Weldon.

And a quorum of the members having answered to their names.

Mr. Darlington (B.), announced,

The death of his colleague, Benjamin Singerly, member of Select Council from the Second ward, who died suddenly on Sabbath morning, July 9th, at his residence on Second avenue;

And presented the following:

[354] Whereas, The Almighty in His inscrutable wisdom, has suddenly removed from among us, Benjamin Singerly, member of Select Council from the Second ward, Pittsburgh, we deem it proper to pay a tribute of respect to his memory. Therefore,

Resolved, That our Council, in the death of Benjamin Singerly, has lost a valuable and efficient member; one whose knowledge of municipal affairs was comprehensive and thorough, and whose advice and opinions on the same were sound and correct; and one who, by his punctual attendance, faithful and conscientious discharge of duties, and the firm and decided stand that

he took in behalf of every measure that he believed to be right, merited and received the confidence and respect of every member of this body.

Resolved, That the community has, by his death, lost a worthy, honorable and reputable citizen.

Resolved, that we tender to the friends of the deceased our confidence and sympathy in this bereavement.

Resolved, That we attend the funeral at the appointed time in a body.

Which were read and passed.

Mr. Buckley, the following.

[355] Resolved, That the Mayor be and he is hereby requested to enforce the Ordinance relating to the ringing of bells and blowing whistles within the city limits, by the employees of various railroad companies.

Which was read and passed.

Mr. Shipton,

[356] Resolved, That the Controller be and he is hereby authorized to issue his certificate in favor of B. Horne, to the amount of \$16.15, on account of overpaid business tax, the same having been an over assessment by a clerical error, and charge the same to Contingent Fund.

Which was, the rule being suspended, read three times and passed.

Mr. McCandless,

[357] Report of the Water Committee for the month of June. Expenditures, \$7,429.20.

Which was read and accepted.

Mr. Schwarm,

[358] Report of the Market Committee for the month of May 1876. Receipts, \$2,976.51. Expenditures, \$659.54.

Which was read and accepted.

[C. C. No. 323] Resolution for the erection of Engine houses in the 31st and 32d wards.

In C. C., referred to a special committee.

In S. C.,

Mr. Goldthorp, moved,

To lay on the table.

Which motion prevailed.

C. C., No. 139 and 190. Resolutions refunding overpaid taxes.

In C. C., rule suspended and resolutions passed finally.

In which action Select Council concurred.

Mr. Shipton, moved,

That when Council adjourns, it adjourn to meet on the second Monday in September, next,

Mr. Hunter, moved to amend,

By substituting the last Monday in November, next.

Which did not prevail.

And this original motion prevailed.

Mr. Sawyer, presented the following:

[357] Whereas, We are again admonished by the recent disastrous fire in the Eighteenth ward, at which property to the amount of one hundred thousand dollars in value was destroyed, partly from the want of adequate supply of engines for the suppression of conflagrations.

Be it Resolved, That the attention of the Fire Commissioners of the city be called to this matter, and that the said Commissioners be requested to supply as soon as practicable, a fire engine, hose and such other apparatus for extinguishing fires as is needed, in the Eighteenth ward.

Which was referred to the Fire Commission.

On motion Council adjourned.

Attest

E. D. MORROW

CUK

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, SEPTEMBER 11, 1876.

No. 22.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, Sept. 11, 1876.

Present—Messrs. Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Carr, Dannels, Darlington (B.), Darlington (H.), Denniston, Duff (C. P.), Duff (J. K. P.), Evans, Fox (Gen.), Froelich, Geiger, Gourley, Goldthorp, Herron, Holliday, Hunter, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, McCandless, MacConnell, McClurg, McGimpsey, O'Neil (E. M.), O'Neil (John), Ray, Reiman, Rogers, Sawyer, Schild, Schwarm, Shipton, Taylor, Weldon.

Absent—Messrs. Ahl, Brown (S. S.), Bruce, Buckley, Dietrich, Epping, Felker, Foster, Fox (Gregor), Hayden, Jeremy, Murray, McCombs, McKinley, Negley, Nusser, Perry, Powers, Rolfe, Sorg, Vieheller, Waring, Welsh and President Gross.

In the absence of the President, Mr. Aiken was called to preside.

The reading of the minutes was dispensed with.

The President presented

[359] A certificate from the Prothonotary of the Court of Common Pleas certifying to the election of John Stouff as a member of Select Council from the Twenty-ninth ward.

Which was read and approved.

Also,

[360] A certificate from the Prothonotary of the Court of Common Pleas, certifying to the election of Thomas Miller as a member of Select Council from the Twenty-ninth ward,

Which was read and approved.

And Messrs. Stouff and Miller being present took the oath of office, which was administered to them by the President.

Mr. Hunter presented,

[361] A petition for a change of grade on Fort street,

Which was referred to the Street Committee.

Mr. (E. M.) O'Neil,

[362] A petition for the removal of the telegraph poles from the north side of Liberty street, erected by the Western Union Telegraph Company,

Which was read and referred to the Street Committee.

Mr. Herron,

[363] An Ordinance prohibiting the use of steam whistles in the city of Pittsburgh,

Which was referred to the Ordinance Committee.

Mr. (H.) Darlington,

[364] An Ordinance granting the Pittsburgh Gas Company the right to lay a switch track.

Referred to Road Committee.

Also,

[365] A memorial from citizens of Fourth avenue, asking Councils to take some measures for the abatement of the nuisance caused by the switches and turn-outs of the passenger railways on said avenue.

Referred to the Street Committee.

Mr. (B.) Darlington,

[366] A protest against allowing the railway companies the use of Third avenue.

Referred to the Street Committee.

Also,

[367] A remonstrance against the grant of Third avenue to the passenger railway companies.

Referred to the Street Committee.

Mr. (John) O'Neil,

[368] A petition from Michael Herron asking Councils to confirm the report of the viewers on the assessment of damages and benefits caused by the opening of School alley, between Sherman and Davison streets,

Which was referred to the City Attorney.

Mr. Kennedy,

[369] An Ordinance granting W. H. Daly the right to erect a frame building,

Which was referred to the Committee on Wooden Buildings.

Also,

[370] An Ordinance authorizing the grading, paving and curbing of Pride street from Bluff street to Quince alley,

Which was referred to the Street Committee.

Also,

[371] A petition for the repeal of the ordinance authorizing the opening of Forbes street from Boyd street to Fifth avenue,

Which was referred to the Street Committee.

Mr. McGimpsey,

[372] Petition of John Mackin of the Fourteenth ward for an abatement of taxes.

Which was referred to the Committee on Appeals.

Mr. McCandless,

[373] A petition for water mains on Reed street, Eleventh ward.

Which was referred to the Water Committee.

Also,

[374] A petition from John Wallace for the refunding of over-paid taxes,

Which was referred to the Committee on Appeals.

Mr. Barclay,

[375] Appeal of Lang, Geuth and Thumm for abatement of over-assessed taxes,

Which was referred to the Committee on Appeals.

Mr. (C. P.) Duff,

[376] A petition for the erection of a public gas lamp on Centre avenue,

Which was referred to the Committee on Gas Lighting.

Also,

[377] A petition of John Harrison for assess-

ment of damages, caused by the grading of Ridge street.

Which was referred to the Road Committee.

Mr. Weldon,

[378] Petition of Samuel Fritz for refunding over-paid taxes.

Which was referred to the Committee on Appeals.

Mr. Taylor,

[379] Petition of John Metcalf for refunding of over-paid taxes.

Which was referred to the Committee on Appeals.

Also,

[380] Petition of John Chislett for refunding of over-paid taxes.

Which was referred to the Committee on Appeals.

Mr. Carr, the following:

[381] Resolved, That the Street Commissioner of the Fifth District be, and is hereby authorized and directed to construct a crossing, of some kind, near Pius street, on Birmingham avenue, Twenty-seventh ward.

Which was referred to the Street Committee.

Mr. Kerr,

[382] Petition of Elizabeth Ageman for an abatement of taxes.

Which was referred to the Committee on Appeals.

Mr. Goldthorp, the following papers:

[383] A petition asking for the repeal of the Ordinance authorizing the opening of Sycamore street, in the Thirty-second and Thirty-fifth wards.

Which was referred to the Street Committee.

[384] An Ordinance establishing the width of Washington street.

Which was referred to the Street Committee.

[385] An Ordinance establishing the width of St. Clair street, Thirty-second ward.

Which was referred to the Street Committee.

[387] A protest against granting the use of Third avenue to passenger railway companies.

Which was referred to the Street Committee.

[388] A protest against the grant of the use of Third avenue to the passenger railway companies.

Which was referred to the Street Committee.

Mr. Rodgers,

[389] Petition of Aaron Hyde for an abatement of tax on property in the Thirty-sixth ward.

Which was referred to the Committee on Appeals.

Mr. Shipton, from the Finance Committee, presented the following:

[390] Resolved, That the City Controller be, and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of the City Attorney for street and sewer improvements that are chargeable to the city, and charge the same to the Contingent Fund, viz:

Forbes street, damages by grade.....	\$290 40
Hiland avenue.....	3 18
Second avenue opening.....	12 20
Main street, bridge assessment.....	34 50
Try street sewer.....	222 40
Fourth and Fifth installments Main street improvement.....	182 22
Third and fourth installments Frankstown avenue improvement.....	204 47

Total.....\$949 37
Which, the rule being suspended, was read three times and passed.

Also, from the same committee,

[391] A report from the Finance Committee, covering and recommending the passage of the following resolution:

[392] Resolved, That the Controller be, and he is hereby authorized to issue his certificate for a warrant in favor of Anna M. Kirkpatrick to the amount of ninety dollars and eighty-two cents, on account of over-paid taxes in the Fourth ward, and charge the same to the Contingent Fund.

The report was read and accepted.

And the rule being suspended, the resolution was read a third time and finally passed.

Also,

[393] A report from the Finance Committee, covering and recommending the passage of the resolution for a warrant in favor of Martin Joyce.

Which was read and accepted.

Also,

[394] Resolved, That the Controller be and he is hereby authorized to issue his certificate for a warrant in favor of Martin Joyce to the amount of five thousand dollars on account of sewer contracts, and charge the same to the Contingent Fund.

Which was read.

Mr. Shipton moved

That the rules be suspended to allow the third reading and final passage of the resolution.

Which motion prevailed.

Mr. Shipton

Moved the third reading and final passage of the resolution.

On which motion the ayes and noes were demanded by Mr. (E. M.) O'Neill, and the demand being sustained they were ordered to be taken, and being taken were:

Ayes—Messrs. Barclay, Bates, Brown (R. B.), Carr, Dannals, Darlington (B.), Darlington (H.), Denniston, Duff (C. P.), Duff (J. K. P.), Fox (George), Froelich, Geiger, Goldthorp, Hunter, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Miller, McCandless, McGimpsey, O'Neil (John), Ray, Rodgers, Reiman, Schild, Schwarm, Shipton, Stouffit, Taylor—35.

Noes—Messrs. Aiken, Atkinson, Evans, Holliday, McClurg, O'Neill (E. M.), Weldon—7.

So the motion prevailed.

Also,

[395] A report from the Finance Committee, covering and recommending the passage of a resolution for a warrant in favor of Robert Ellis.

Which was read and accepted.

Also,

[396] Resolved, That the Controller be and he is hereby authorized to issue his certificate for a warrant in favor of Robert Ellis to the amount of three thousand dollars on account of grading and paving Forty-second street, and charge the same to the Contingent Fund.

Which was read.

Mr. Shipton moved

To suspend the rules to allow the third reading and final passage of the resolution.

Which motion prevailed.

And on the motion for the third reading and final passage of the resolution, a division was had and there were sixteen ayes and fourteen noes, so the motion did not prevail.

Also,

[397] An Ordinance amending an Ordinance authorizing the exchange of registered bonds for coupon bonds.

Which was referred to the Finance Committee.

Mr. McCandless,

[398] A report from the Water Committee, asking Councils to locate and open a street for the purpose of laying the pumping main from the engine house to the reservoir.

Which was referred to the Road Committee.

Mr. Hunter,

[399] A report from the Committee on City Property, covering a statement of the expenditures for the month of August, (\$496.23).

Which was read and accepted.

Mr. Shipton,

[400] A report from the Committee on Gas Lighting, setting forth that a warrant had been ordered in favor of the Pittsburgh Gas Company for \$14,018.14 with the proviso that the Gas Company would give a receipt in full of all demands against the city up until June 30th, 1876, and release the alleged claim against the city for \$10,884.96 for Government tax on gas, which claim the city denies.

Which was read and accepted.

Mr. MacConnell.

[401] A report from the Committee on Roads, covering a statement of the expenditures for the months of June, July and August, amounting to \$7,017.27, which was read and accepted.

Also,

Select Council Bill, No. 317, entitled an Ordinance authorizing the opening of Station street from Franks-town avenue to Pennsylvania Railroad, which was referred to the Board of Viewers.

Mr. Herron, by leave, called up,

C. C., Bill No. 129, Entitled "An Ordinance authorizing the opening of Exchange alley from Barkers alley to Seventh street."

In S. C. July 10th, failed to pass for want of a legal majority.

And moved the final passage of the bill.

On which motion the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Barkley, Carr, Dannels, Darlington (H.), Denniston, Duff (C. P.), Fox (Geo.), Froelich, Geiger, Goldthorp, Herron, Holliday, Hunter, Kernan, Kerr, Lappan, Littell, Meyer, Miller, MacConnell, McClurg, McGimpsey, O'Neil (John), Ray, Reiman, Rodgers, Schild, Schwarm, Shipton, Stouff, Taylor—33.

Noes—Messrs. Sawyer and Weldon—2.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass.

The following reports of the Board of Viewers of Street improvements, were then taken up:

[C. C., No. 235] On the damages caused by the grading of Hiland avenue from Penn avenue to Fifth avenue.

Which was read and approved.

[C. C., No. 267] On the damage caused by opening Second street from Penn avenue to Duquesne Way.

Which was read and approved.

[C. C., No. 303] On the damages caused by the opening of McCandless avenue from Stanton avenue to Stanton avenue.

Which was read and approved.

[C. C., No. 304] On the opening of Notley street from Hazelwood avenue to Indus street.

Which was read and approved.

The President presented,

[402] A report from the Board of Viewers of Street Improvements returning to Councils, C. C., bill No. 49, entitled "An Ordinance authorizing the construction of a sewer on the property of Michael McCullough, from the end of present sewer on Forty-second street, for a distance of twenty feet.

Which was read and accepted.

Also,

[C. C., Bill No. 40] Entitled "An Ordinance authorizing the construction of a sewer on the property of Michael McCullough, from the end of present sewer on Forty second street, for a distance of twenty feet.

Which was read,

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were,

Ayes—Messrs. Aiken, Atkinson, Barkley, Bates, Brown (L. T.), Carr, Dannels, Denniston, Duff (C. P.), Duff (J. K. P.), Evans, Fox (George), Geiger, Goldthorp, Herron, Holliday, Hunter, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Miller, McCandless, MacConnell, McClurg, McGimpsey, O'Neil (John), Ray, Rodgers, Sawyer, Schild, Schwarm, Shipton, Taylor, Weldon—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Evans, from Survey Committee affirmatively, [C. C., Bill No. 321] Entitled "An Ordinance fixing the grade of Sylvan avenue extension."

Which was read,

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Bates, Brown (L. T.), Carr, Dannels, Darlington (H.), Denniston, Duff (C. P.), Evans, Geiger, Goldthorp, Herron, Holliday, Hunter, Kerr, Lagerman, Lappan, Littell, Miller, McCandless, MacConnell, McClurg, McGimpsey, Ray, Rodgers, Sawyer, Schild, Schwarm, Stouff, Taylor—31.

Noes—Messrs. Fox (George), Moore, Shipton, Weldon—4.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. Moore,

[403] A petition of W. C. Brown, for refunding of overpaid taxes in the Eleventh ward.

Which was referred to the Committee on Appeals.

[C. C., No. 366] A resolution for a special election for a member of Common Council in the Twenty-first ward.

In C. C. passed finally.

In which action S. C. concur.

[C. C., No. 362] A resolution for a warrant in favor of Chas. Seanor, for services as page of Common Council.

In C. C., passed finally.

In which action S. C. concur.

Mr. McCandless,

[404] A report from the Water Committee, recommending to Council, the advisability of the purchase of the property adjoining the new engine house, and owned by Henry Shade, said property being now in the hands of the Sheriff.

Which was referred to the Finance Committee.

Mr. (E. M.) O'Neill the following,

[405] Resolved, That the President of this Council, or President *pro tem*, as may be, is hereby requested at future meetings, to enforce the rule of Council, compelling the attendance of members, or in default, declaring their seats vacant.

Which was read and passed.

[C. C., No. 361] A resolution extending the time for a compromise with the stockholders of the Nation Trust Company, until thirty days from the 15th day of September next.

In C. C. read third time and passed.

Mr. Hunter moved

To concur in the action of Common Council.

On which motion the ayes and noes were demanded by Messrs. O'Neill and Shipton.

And the demand being sustained, were ordered to be taken, and were:

Ayes—Messrs. Aiken, Barkley, Bates, Brown (L. T.), Dannels, Darlington (B.), Darlington (H.), Denniston, Duff (C. P.), Evans, Froelich, Goldthorp, Holliday, Hunter, Kerr, Gourley, Lagerman, Lappan, Littell, Meyer, Miller, Moore, McCandless, MacConnell, Ray, Reiman, Sawyer, Schild, Schwarm, Stouff, Taylor, Weldon—31.

Noes—Messrs. Geiger, McClurg, O'Neill (E. M.), O'Neil (John), Rodgers, Shipton—6.

So the motion to concur, prevailed.

Mr. MacConnell, presented,

[406] Report of the Viewers of Street Improvements returning to Councils an Ordinance, entitled "An Ordinance authorizing the opening of Osage lane, from Penn avenue, to line of property of heirs of Stacy Lloyd."

Which was read and accepted.

Also,

[C. C., Bill No. 181] Entitled "An Ordinance authorizing the opening of Osage lane, from Penn avenue, to line of property of heirs of Stacy Lloyd.

Which was read.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?"

the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Darlington (B.), Darlington (H.), Denniston, Duff (C. P.), Goldthorp, Hunter, Kerr, Gourley, Lagerman, Lappan, Littell, Miller, Moore, MacConnell, O'Neil (John), Ray, Rodgers, Sawyer, Schild, Schwarm, Shipton, Stouff, Taylor, Weldon—27.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. Atkinson,

[407] Resolved, That Councils will meet in Joint Session at three P. M., at our next regular meeting, for the purpose of electing Board Measurers as required by law.

Which was read.

Mr. Littell moved,

To amend by making the hour of Joint Session four in place of three o'clock.

Which motion prevailed, and the resolution was so amended and as amended was passed.

Mr. Herron,

[408] An Ordinance, amending an Ordinance entitled, "An Ordinance authorizing the grading and paving, of Exchange alley, from Fourth to Fifth streets."

Which was referred to the Street Committee.

[C. C., No. 186] Report of the Board of Viewers on the regrading and repaving of Second avenue, from Wood to Smithfield streets.

In C. C. read and received.

In which action S. C. concur.

And on motion adjourned.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, Sept. 11, 1876.

Present.—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Foley, Hagan, Helmold, Kerr, Laughran, Lemer, Moore, McClarran, McCafferty, Nautker, Neeb, Nisbet, Powers, Rahauer, Torrence, Voskamp, Wainwright, President Negley.

Absent.—Messrs. Aull, Bell, Boucher, Clark, Coll, Conway, Dauler, Fritz, Hahn, Hogle, Hughes, Kettnerberg, Kirchner, Mears, Reynolds, Roth, Rott, Robeson, Thomson.

The minutes of the meeting of June 26th, were read and approved.

Mr. Neeb presented

[328] Petition of B. Horne, for refunding of overpaid taxes.

Which was referred to the Committee on Finance.

Also,

[329] Petition of property owners on Water street, to change the character of the approach to the Point Bridge.

Which was referred to the Committee on Streets.

Also,

[330] Petition of Butchers for reduction of stall rent in Diamond Market.

Referred to the Committee on Markets.

Also,

[331] Petition of J. Dermitt for refunding of overpaid tax.

Referred to Committee on Appeals.

Mr. Flinn presented

[332] Remonstrance against the grading and paving of Shingiss Street.

Referred to the Committee on Streets.

Also,

[333] Petition for changing the grade of Bluff Street, between Pride and Stevenson Streets.

Referred to Committee on Streets.

Mr. Helmold,

[334] Remonstrance against the paving of Bluff Street.

Referred to the Committee on Streets.

Mr. Dickson,

[335] Petition of Straub & Ludwig for a reduction of water tax.

Referred to Committee on Water.

Mr. Fox,

[336] Petition of river men and coal men for removal of obstructions in channel of Monongahela River, caused by debris from the Try Street sewer.

Which was read and received.

Mr. Fox moved,

That a committee of five, two from Select and three from Common Councils, be appointed to examine the matter and report back to Councils.

Which motion prevailed.

Also,

[337] Petition of Chas. Preller for the privilege to erect a frame shop on Garden Alley.

Referred to Committee on Wooden Buildings.

Also,

[338] Petition of Henry Sturm for refunding of overpaid taxes and adjustment of assessment.

Referred to Committee on Appeals.

Also,

[339] An Ordinance relative to liquor saloons, beer saloons, and places of public resort.

Referred to the Committee on Police.

Also,

[340] An Ordinance concerning junk shopkeepers.

Which was referred to the Committee on Police.

Also,

[341] An Ordinance regulating Pawnbroking in the city of Pittsburgh.

Which was referred to the Committee on Police.

Mr. Fennerty,

[342] Petition for the regrading and repaving of Thirty-fourth street, between Liberty street and Liberty avenue.

Referred to Committee on Streets.

Also,

[343] Petition of Francis Murphy for exoneration from payment of tax.

Referred to Committee on Appeals.

Mr. Wainwright,

[44] Remonstrance against the construction of a sewer on Fifty-fourth street.

Referred to the Committee on Streets.

The Chair, presented,

[345] Petition of Heirs of John Mullen, deceased, for assessment of damages by grading Locust street.

Referred to the Committee on Streets.

Mr. Nantker,

[346] Petition of George Moffit for damages caused by grading Locust street.

Referred to the Committee on Streets.

Also,

[347] Resolution directing the Commissioner of Sixth street District, to repair plank sewer on Third street, 30th ward.

Referred to the Committee on Streets.

Also,

[348] Resolution for the construction of a crib or dam in Bailey hollow, to stop overflow of rubbish on Carson street.

Referred to the Committee on Streets.

Mr. Foley,

[349] Petition of Mullen & Maloney for reduction of the grade of Carson street, in front of their mill.

Referred to Committee on Surveys.

Mr. Nisbet presented,

[350] Report of the Viewers of Street Improvements on the construction of a sewer on Concord alley, from Rose street to Centre avenue.

Which was approved.

Also,

[351] Report of the Viewers of Street Im-

provements, on the construction of a sewer on Fourth avenue, from Market street to Ferry street.

Which was approved.

Mr. Neeb presented.

[352] Report of the Viewers of Street Improvements on the opening of Forbes street, from Boyd street to intersection of Fifth avenue and Ross street. Which was approved.

Also.

[353] An Ordinance authorizing the construction of a sewer on the line of Fifty-fourth street, as now located, from Butler street to the Allegheny river.

Referred to the Committee on Streets.

Also.

[354] An Ordinance changing the width of Sylvan avenue Extension.

Referred to the Committee on Surveys.

Also.

[355] An Ordinance establishing the grade of Ridge street, from Thirty-third street to Craig street.

Referred to Committee on Surveys.

Also, from the Street Committee affirmatively recommended.

[348, S. C.] Entitled "An Ordinance authorizing the grading, paving and curbing of Shingies street, from the north curb of Locust street to Bluff street."

Which was referred to the Board of Viewers.

Also, from the Street Committee affirmatively recommended.

[349, S. C.] Entitled "An Ordinance authorizing the paving and curbing of Bluff street, from the west side of Miltenberger street to Shingies street."

Which was referred to the Board of Viewers.

Also, from the Street Committee affirmatively recommended.

[350, S. C.] Entitled "An Ordinance establishing the grade of Union street, from Irwin alley to Grant street."

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fennerty, Foley, Hagan, Helmsold, Kerr, Laughran, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Torrence, Voskamp, Wainwright, Negley—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Street Committee affirmatively recommended.

[347, S. C.] Entitled "An Ordinance establishing the width of the sidewalk and roadway of Bluff street, from Gist street to Shingies street."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Foley, Hagan, Kerr, Laughran, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Torrence, Voskamp, Wainwright, Negley—22.

Noes—Mr. Helmsold—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also.

[356] A report from the Board of Viewers on C. C. No. 193, entitled, "An Ordinance authorizing the construction of a bridge from Laurel avenue to Liberty avenue, on line of bridge crossing Pennsylvania Railroad at Thirty-third street."

Which was read and received.

Also.

[C. C., 193] Entitled "An Ordinance authorizing the construction of a bridge from Laurel avenue to Liberty avenue, on line of bridge crossing Pennsylvania Railroad at Thirty-third street."

Which was read.

And the rules being suspended the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Foley, Hagan, Helmsold, Kerr, Laughran, Lemer, Moore, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Torrence, Voskamp, Wainwright, Negley—22.

Noes—Mr. McClarran—1.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also.

[357] A report of the Viewers, on S. C. No. 233, entitled, "An Ordinance to authorize the repaving of Second avenue, from Wood to Smithfield streets."

Which was read and received.

Also.

[233, S. C.] Entitled, "An Ordinance to authorize the repaving of Second avenue, from Wood to Smithfield streets."

Which was read.

And the rule being suspended the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Helmsold, Laughran, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Powers, Rahausen, Torrence, Voskamp, Wainwright, Negley—19.

Noes—Messrs. Hagan, Kerr—2.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.

Also.

[358] Report of the Viewers on C. C. No. 231, entitled, "An Ordinance authorizing the grading and paving of Union alley, from Grant street to the upper or south eastern line of property of John's estate."

Which was read and received.

Also.

[C. C., 231] Entitled, "An Ordinance authorizing the grading and paving of Union alley from Grant street to the upper or southeastern line of property of John's estate."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Foley, Hagan, Helmsold, Kerr, Laughran, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Torrence, Voskamp, Wainwright, Negley—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, (by leave)

[39] Resolved, That the Street Committee be, and the same is hereby instructed to take immediate steps towards affording the residents and property holders on Manor and Josephine streets, South Side, relief from the encroachments of the P. V. & C. R. R.

Which was read and passed.

Also.

[360] A Resolution for a warrant in favor of C. J. Schultz, for the sum of five thousand dollars, for assessments against the City for construction of Sylvan avenue bridge.

Referred to Finance Committee.
Mr. **Rahauser**, from the Committee on Surveys affirmatively recommended.

[C. C., 268] Entitled, "An Ordinance locating Houck street.

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Foley, Hagan, Helms, Kerr, Laughran, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Torrence, Voskamp, Wainwright, Negley—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

[270, C. C.] Entitled "An Ordinance locating Jones avenue.

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Flinn, Fox, Fennerty, Foley, Hagan, Helms, Kerr, Laughran, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahauser, Torrence, Voskamp, Wainwright, Negley—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Torrence**, (by leave) presented,

[361] Whereas, The time heretofore fixed for the sale of the City's claim against the Nation Trust Company is about to expire, and

Whereas, It has been made to appear that further time is necessary to enable the Nation Trust Company to negotiate their securities to enable them to meet said claim, Therefore, be it

Resolved, That a further period of thirty days from the 15th day of September, be given for the purchase of said claim, and Wm. B. Negley and Jas. Veech Esq., Trustees, are hereby requested to withhold proceedings on the securities in their hands for thirty days from and after the 15th day of September; Provided, however, that this resolution shall not take effect, unless the county of Allegheny also agrees to grant a like extension of thirty days, for the settlement heretofore agreed upon.

Which, the rule being suspended, was read a third time and finally passed.

Mr. **Rahauser**, from Survey Committee affirmatively recommended,

[271, C. C.] Entitled "An Ordinance locating Fetzter street, from Bertha street to Kirkpatrick street.

Which was read

Mr. **Nisbet** moved

To refer the bill back to the Survey Committee.

Which prevailed.

The **Chair** presented,

[362] Resolved, That the City Controller be, and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of Chas. W. Seanor, for seventeen dollars, for services as Page of Common Council, and charge the same to appropriation No. 13 contingent fund.

Which, the rule being suspended, was read a third time and passed finally.

Mr. **Fox** presented,

[363] A report from the Committee on Police covering a statement of their expenditures for the month of August, amounting to \$16,782.33.

Read, received and filed.

The **Chair** presented,

[364] Re-ignition of Wm. F. Aull, as member of Common Council from the Twenty-first ward.

Which was read, received and accepted.

Mr. **Fox** presented the following.

[365] Resolved, by Common Council, That a vote of thanks are due and are hereby tendered Wm. F. Aull, late a member of this body from the Twenty-first ward, for the faithful and efficient manner in which he has discharged his public duties, and that his resignation is accepted with regret.

Which was read and passed by a unanimous vote.

Mr. **Neeb** presented,

[366] Res. lved, That the Mayor be and he is hereby directed to issue his proclamation for a special election in the Twenty-first ward, to fill the vacancy in Common Council, caused by the resignation of Capt. W. F. Aull.

Which was read and finally passed.

Business from Select Council.

[S. C., 112] An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company.

In C. C., May 8th, 1876, passed.

In S. C., July 10th, 1876, referred to committee of two from S. C. and three from C. C.

In which action C. C. concurred, and appointed on behalf of C. C., Messrs. Foley, Thomson and Fennerty.

[S. C., 357] Report from the Committee on Water, covering expenditures for June.

In S. C., July 10th, read and accepted.

In which action C. C. concurred.

[S. C., 358] A report from the Committee on Markets, covering a statement of their receipts and expenditures for May.

In S. C., July 10th, read and accepted.

In which action C. C. concurred.

[S. C., 356] Resolution for a warrant in favor of B. Horne, for sixteen dollars and fifteen cents, for refunding overpaid business tax.

In S. C., July 10th, passed finally.

Which, the rule being suspended, was read a third time and passed finally.

[S. C., 390] Resolution for warrant in favor of the City Attorney, for the sum of nine hundred and forty-nine dollars and thirty-seven cents, for assessments against the city of Pittsburgh.

In S. C., September 11th, passed finally.

Which, the rule being suspended, was read a third time and passed finally.

[S. C., 391] Communication from the Finance Committee, covering resolution for a warrant in favor of Anna M. Kirkpatrick for refunding of overpaid tax.

In S. C., September 11th, read and accepted.

In which action C. C. concurred.

[S. C., 392] Resolution for a warrant in favor of Anna M. Kirkpatrick, for the sum of ninety dollars and eighty-two cents, for refunding overpaid tax.

In S. C., September 11th, passed finally.

Which, the rule being suspended, was read a third time and passed finally.

[S. C., 393] Communication from the Finance Committee, covering resolution for a warrant in favor of Martin Joyce.

In S. C., September 11th, read and accepted.

In which action C. C. concurred.

[S. C., 394] A resolution for a warrant in favor of Martin Joyce, for the sum of five thousand dollars on account of sewer contracts.

In S. C., September 11th, passed finally.

Which was read, and the rule was suspended.

And a motion for the final passage of the resolution did not prevail.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, SEPTEMBER 25, 1876.

No. 23.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, Sept. 25, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Barclay, Bates, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Dannals, Darlington (B.), Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Foster, Fox (Gregor), Froelich, Geiger, Gourley, Hayden, Hunter, Herron, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Waring, Weldon, Welsh.

Absent—Messrs. Atkinson, Brown (S. S.), Darlington (H.), Dietrich, Fox (Geo.), Goldthorp, Holliday, Jeremy, Kernan, McCombs, McClurg, Negley, Nusser, Perry, Ray, Reiman, Rolfe, Sawyer, Stouff, Taylor, and President Gross.

The minutes of the last meeting were read and approved.

Mr. **Herron** presented,

[409] A remonstrance against the widening of Washington street, 32d ward,
Which was referred to the Committee on Streets.

Mr. **Hunter**,

[410] Petition of John Alexander for the refunding of one year's rent of ground in the 17th ward, leased from the city,

Which was referred to the Committee on City Property.

Mr. (C. P.) **Duff**,

[411] A petition for the repaving of that part of Market street in front of the Diamond Market Houses.

Which was referred to the Street Committee.

Mr. **Powers**,

[412] Resolved, That the City Attorney be directed to at once inquire into the pecuniary responsibility of the bondsmen of the United Savings Bank, and take immediate steps to secure the city against any loss on account of public moneys deposited with said bank.

Which was read and passed.

Mr. **Littell**,

[413] A communication from the Board of Health, asking Councils to make an additional appropriation to them for the present year, the funds in their appropriation having been expended,

Which was referred to the Finance Committee.

Mr. (Gregor) **Fox**,

[414] Resolved, That the privilege be and is hereby granted Joseph Keeling to run a dummy engine on his coal railway track on Twenty-first street, South Side,

Which was read.

Mr. (E. M.) **O'Neill** moved

To refer to the Street Committee,

Which motion prevailed.

Mr. **Kerr**, the following papers:

[415] Petition of Mrs. Wilhelmina Sorg for an abatement of business tax.

[416] Petition of George Rodebach for an abatement of business tax.

[417] Petition of H. Van Gezer for an abatement of business tax,

Which were referred to the Committee on Finance.

Mr. **Rodgers**,

[418] Resolved, That the City Controller is hereby authorized to issue a warrant to Louis Huffle for \$52.00 for tax paid in 1875 on property consumed by fire, on Carson street, 34th ward,

Which was referred to the Committee on Appeals.

Mr. **Vierheller**,

[419] Resolved, That the City Controller shall be, and he is hereby authorized and directed to issue his certificate for a warrant in favor of F. Eggers for \$—, on account of over-paid assessment on Pearl street.

Referred to the City Attorney.

Mr. **Shipton**, from the Finance Committee,

[420] A report covering and recommending the passage of C. C. resolution, No. 360, for a warrant in favor of C. J. Schultz,

Which was read and accepted.

Also,

C. C., No. 360, Resolved, That the City Controller shall be, and he is hereby authorized and directed to issue a certificate for a warrant in favor of C. J. Schultz for the sum of \$5,000, the balance of the assessment against the city of Pittsburgh for the construction of a bridge over Sylvan avenue, and charge the same to the Contingent Fund,

Which was read.

Mr. **Shipton** moved,

To suspend the rules for the third reading and final passage of the ordinance,

Which motion prevailed,

And the resolution was read a second time.

Mr. **Shipton** moved,

The third reading and final passage of the resolution,

Which motion prevailed.

Also, from the same committee,

[421] A report covering and recommending the passage of S. C. resolution, No. 339, for payment of damages caused by the grading of Sylvan avenue,

Which was read and accepted.

Also,

S. C., No. 339, Resolved, That the City Controller shall be, and he is hereby authorized and directed to issue his certificate for a warrant in favor of John Parkinson for \$250. Also, one for B. McTiernan for \$500. Also, one for E. Wormser for \$400, and charge

the same to the Contingent Fund. Said sums of money being due said parties for damages by the grading of Sylvan avenue, and for the payment of which the Board of City Viewers reported that they were unable to find benefits.

Which was read.

On motion of Mr. **Shipton**,

The rules were suspended for the third reading and final passage of the resolution.

Mr. **Bruce** moved,

That further action be postponed until next regular meeting.

Which motion prevailed.

The Clerk of Common Council being introduced, announced that Common Council had amended Select Council resolution, No. 407, for joint session for the election of Board Measurers, by fixing the hour at three instead of four o'clock.

In which action S. C., on motion of

Mr. **Shipton**, receded from former action and concurred.

Mr. **Shipton**, from the Finance Committee, presented,

[422] A report covering and recommending the passage of S. C. bill, No. 397, An Ordinance amending an Ordinance authorizing the exchange of registered bonds for coupon bonds,

Which was read and accepted.

And the bill was referred to the Finance Committee.

The hour of three o'clock having arrived, Select Council proceeded to the Common Council Chamber, to meet Common Council in Joint Session for the purpose of electing three persons as Board Measurers for the city of Pittsburgh, and being so met in

Joint Session,

Council proceeded to said election, and

Mr. **Barckley** nominated Thos. B. Cook.

Mr. **Brown** (L. T.), nominated J. J. Mears.

Mr. **Kerr** nominated D. Baldwin.

Mr. **Foley** nominated M. Shehan.

And the result of the voting was as follows :

For Thos. B. Cook :

Messrs. Ahl, Aiken, Barckley, Bates, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Dannals, Darlington (B.), Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Foster, Fox (Gregor), Froelich, Geiger, Hayden, Herron, Hunter, Kennedy, Kerr, Gourley, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Waring, Weldon, Welsh.

For J. J. Mears :

Messrs. Ahl, Aiken, Barckley, Bates, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Dannals, Darlington (B.), Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Foster, Fox (Gregor), Froelich, Geiger, Hayden, Herron, Hunter, Kennedy, Kerr, Gourley, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Waring, Weldon, Welsh.

For D. Baldwin :

Messrs. Ahl, Aiken, Barckley, Bates, Brown, (R. B.), Brown (L. T.), Bruce, Darlington (B.), Denniston, Duff (C. P.), Evans, Felker, Fox (Gregor), Froelich, Geiger, Hayden, Hunter, Kennedy, Kerr, Gourley, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), Powers, Schwarm, Shipton, Sorg, Waring, Welsh.

For M. Shehan :

Messrs. Buckley, Carr, Dannals, Duff (J. K. P.), Epping, Foster, Herron, Lagerman, Miller, Moore, O'Neill (John), Rodgers, Schild, Vierheller, Weldon.

Thos. B. Cook received 77 votes.

J. J. Mears received 77 votes.

D. Baldwin received 53 votes.

M. Shehan received 24 votes.

And Messrs. Thos. B. Cook and J. J. Mears

were declared to be duly elected Board Measurers for the district lying north of the Monongahela river.

And there being no choice for one person to be Board Measurer for the district lying south of the Monongahela river, Council again proceeded to said election, And the result of the voting was as follows :

For D. Baldwin :

Messrs. Ahl, Aiken, Barckley, Bates, Brown (R. B.), Brown (L. T.), Bruce, Darlington (B.), Denniston, Duff (C. P.), Evans, Felker, Froelich, Geiger, Herron, Hunter, Kennedy, Kerr, Gourley, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), Powers, Schwarm, Shipton, Sorg, Waring, Welsh.

For M. Shehan :

Messrs. Buckley, Carr, Dannals, Duff (J. K. P.), Epping, Foster, Fox (Gregor), Hayden, Lagerman, Miller, O'Neill (John), Rodgers, Schild, Vierheller, Weldon.

And

D. Baldwin received 52 votes.

M. Shehan received 25 votes.

And there being no choice, Council again proceeded to said election.

And the result of the voting was as follows :

For D. Baldwin :

Messrs. Ahl, Barckley, Bates, Brown (R. B.), Brown (L. T.), Bruce, Darlington (B.), Denniston, Duff (C. P.), Evans, Felker, Fox (Gregor), Froelich, Geiger, Hunter, Kennedy, Kerr, Gourley, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), Powers, Schwarm, Shipton, Sorg, Waring, Weldon, Welsh.

For M. Shehan :

Messrs. Buckley, Carr, Dannals, Duff (J. K. P.), Epping, Foster, Hayden, Lagerman, Miller, Rodgers, Schild, Vierheller.

And

D. Baldwin received 54 votes.

M. Shehan received 20 votes.

And there being no choice,

Mr. **Foley** moved,

To adjourn.

On which motion a division was had, and there were 25 ayes, and 37 noes.

So the motion did not prevail.

Mr. **Foley**, by leave,

Withdrew the name of M. Shehan,

And

Council again proceeded to said election,

And the result of the voting was as follows :

For D. Baldwin :

Messrs. Ahl, Aiken, Barckley, Bates, Brown (R. B.), Brown (L. T.), Bruce, Carr, Darlington (B.), Denniston, Duff (C. P.), Felker, Foster, Fox (Gregor), Froelich, Geiger, Hayden, Hunter, Kennedy, Kerr, Gourley, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Schild, Schwarm, Shipton, Sorg, Vierheller, Waring, Weldon, Welsh,

And

D. Baldwin received 61 votes.

And D. Baldwin was declared duly elected Board Measurer for the district lying south of the Monongahela river.

And

The business of the Joint Session being over, Select Council returned to their own Chamber.

Mr. **Shipton**, from the Finance Committee,

[423] Resolved, That the City Controller shall be, and he is hereby authorized and directed to issue his certificate for a warrant in favor of John Wood for seven dollars and fifty cents (\$7.50), on account of over-paid taxes, and charge the same to the Contingent Fund,

Which was read.

And the rule being suspended, was read a third time and passed.

Also,

[424] An Ordinance amending section 6 of an Ordinance entitled "An Ordinance to provide for the safe keeping and custody of the funds of the city," passed 7th February, 1870.

Which was referred to the Finance Committee.

Mr. **McCandless**, from the Water Committee, [425] A report covering the expenditures, \$15,710.18, for the months of July and August, Which was read and accepted.

Also,

[426] A report from the Water Committee, announcing the award of contracts for laying water pipe on Breckenridge street and for building two chimneys, boiler walls, &c., for new water works,

Which was read and approved.

Mr. **(E. M.) O'Neill** moved

To suspend the rule, to allow the consideration of C. C., No. 327 resolution directing the Water Committee to report the status of the work under their charge, the least possible amount needed to get the works into operation, the penalties incurred by the contractor, and what is still needed to secure to the city such penalties,

Which motion prevailed.

And, on motion of

Mr. **(E. M.) O'Neill**,

Select Council concurred in the action of Common Council.

Mr. **Schwarm**, from the Market Committee,

[427] A report covering a statement of the receipts and expenditures in the market department for the month of August, viz:

Receipts.....\$3,894 05
Expenditures..... 821 37

Which was read and accepted.

Also,

[428] An Ordinance amending the City Code, Title Markets,

Which was referred to the Market Committee.

Mr. **Sorg**, from the Committee on Wooden Buildings,

[429] A report recommending the granting of the following petitions for the erection of wooden buildings:

John Gilroy, Mrs. Hanley, Mrs. M. Yeager and Geo. Dickson & Son,

Which was read and accepted.

Also, from the same committee, affirmatively, Common Council bill, No. 260, entitled an Ordinance granting George Duncan & Sons privilege to erect an addition to a frame building,

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes.—Messrs. Ahl, Aiken, Barkley, Bates, Brown (R. B.), Brown (L. T.), Bruce, Carr, Dannals, Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Foster, Fox (Gregor), Geiger, Gourley, Kerr, Hunter, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill, (E. M.), Powers, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Weldon and Welsh—41.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Shipton**, from the Committee on Gas Lighting,

[430] Resolved, That the Pittsburgh Gas Company be, and they are hereby directed to erect public gas lamps at the following points: Two on Harrison street, between Forty-ninth street and Fifth street, and one on Centre avenue, at end of gas main,

Which the rule being suspended, was read three times and passed.

Also, from the same committee,

[431] Resolved, That East End Gas Company be, and they are hereby authorized to erect two

public gas lamps on Stanton avenue, to be located by the City Engineer,

Which the rule being suspended, was read three times and passed.

Also, from the same committee.

[432] Resolved that the West Pittsburgh Gas Company be, and they are hereby directed to erect nine new public gas lamps on Carson street extension, and cause the removal of the gas lamp on the old bridge over Saw Mill run to the line of the same street, two of said lamps to be erected on the bridge over Saw Mill run, on the line of Carson street,

Which was read.

Mr. **Buckley** moved,

To amend by inserting the word "five new public" in place of "Nine new public."

Mr. **Dannals** moved to recommit,

Which did not prevail.

And the motion of Mr. **Buckley** prevailed, and the resolution was so amended, and as amended was, the rule being suspended, read a third time and passed.

Mr. **Kerr**, from the Ordinance Committee,

Affirmatively,

Select Council bill, No. 190, entitled "An Ordinance relative to the collection of fines and forfeitures,"

Which was read.

Mr. **(E. M.) O'Neill** moved,

To refer the bill to the City Attorney,

Which motion prevailed.

Also, from the same committee,

Affirmatively,

Select Council bill, No. 336, entitled "An Ordinance amending the City Code, Title Sidewalks, sections two and three,

Which was read.

Mr. **Waring** moved,

To lay the bill on the table,

Which did not prevail.

Mr. **(E. M.) O'Neill** moved,

To amend section one by the insertion of the words "upon direction of the Road or Street Committee."

Mr. **Waring** moved,

Indefinite postponement of action on the bill,

Which did not prevail.

Mr. **Bruce** moved,

To refer the bill to the Road Committee,

Which motion prevailed.

Also, from the same committee,

Affirmatively,

Select Council bill, No. 333, entitled "An Ordinance amending the City Code, Title Signs and Sign Boards," page 282,

Which was read.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes.—Messrs. Ahl, Aiken, Bates, Brown (R. B.), Bruce, Buckley, Carr, Dannals, Duff (C. P.), Epping, Evans, Felker, Geiger, Gwirley, Hunter, Kerr, Lagerman, Lappan, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McKinley, O'Neill (John), Powers, Schild, Schwarm, Shipton, Sorg, Vierheller, Waring and Welsh—34.

Noes.—Messrs. Barkley, Brown (L. T.), Foster, Kennedy and McGimpsey—5.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Also, from the same committee,

Affirmatively,

Select Council bill, No. 334, entitled "An Ordinance prohibiting the use of awning flaps,"

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes.—Messrs. Aiken, Barkley, Bates, Brown (R. B.), Bruce, Buckley, Carr, Dannals, Duff (C. P.), Ep-

ping, Evans, Felker, Fox (Gregor), Gourley, Hunter, Kerr, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Rodgers, Schild, Schwarm, Shipton, Sorg, Vielheller, Weldon and Welsh—36.

Noes—Messrs. Brown (L. T.), Foster, Geiger and Kennedy—4.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. **Buckley**, by leave, the following:

[433] Resolved, That the City Attorney be requested to notify the P., C. & St. L. R. R. Co. to abate the nuisance caused by the constant blowing of steam whistles on the line of their road through the 33d, 34th and 36th wards, and particularly near the Temperanceville station, where trains stop.

Mr. **Weldon** moved,

To amend the resolution so as to include all railroads,

Which motion prevailed,

And the resolution was so amended, and as amended was, on motion of

Mr. **Hunter**, referred to the Ordinance Committee.

Mr. **Gourley**,

[434] A resolution for a warrant in favor of Henry Schwarm for refunding over-paid tax.

Which was referred to the Committee on Appeals.

Also,

[435] A resolution for a warrant in favor of John Boyd for refunding over-paid taxes,

Which was referred to the Committee on Appeals.

Mr. **MacConnell** moved,

To suspend the rule to allow the consideration of Common Council bill, No. 181, entitled "An Ordinance authorizing the opening of Osage lane from Penn avenue to line of property of heirs of Stacy Lloyd,"

Which motion did not prevail.

And, on motion, Council adjourned.

Attest
E. J. MORGAN
CLK

COMMON COUNCIL.

W. B. NRGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, Sept. 25, 1876.

Council met.

Present.—Messrs. Bell, Boucher, Clark, Conway, Dickson, Flinn, Fritz, Fennerty, Foley, Hagan, Hogle, Hughes, Kerr, Kettenberg, Lemer, Mears, McCafferty, Nautker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright.

Absent.—Messrs. Atcheson, Coll, Dauler, Fox, Ferson, Hahn, Helmold, Kirchner, Laughran, Moore, McClarran, Robeson and President Negley.

In the absence of President Negley, Mr. Thomson was called to the Chair.

On motion of Mr. Rott, the reading of the minutes of the previous meeting was dispensed with.

Mr. **Roth** presented,

[367] Petition of Geo. E. Peebles for reduction of valuation of property in 22d ward.

Referred to Committee on Appeals.

Mr. **Mears** presented,

[368] Petition of Barbara Junghans, for refunding of over-paid tax.

Referred to Committee on Appeals.

Mr. **Rott**,

[369] Petition of Chas. A. Gross, for refunding of over-paid tax.

Referred to Committee on Appeals.

Mr. **Dickson**,

[370] Remonstrance against the construction of a sewer on Locust alley, 13th ward.

Referred to the Committee on Roads.

Also,

[371] Petition for the erection of three public lamps on Liberty street, at corners of Thirtieth, Thirty-first and Thirty-third streets.

Referred to the Committee on Gas Lighting.

Mr. **Fennerty**,

[372] Petition of P. F. Howley, for refunding of over-paid tax.

Referred to Committee on Finance.

Also,

[373] Petition of E. C. White for abatement of taxes in 36th ward.

Referred to Committee on Appeals.

Also,

[374] Petition of Philip Menges, for refunding of over-paid tax.

Referred to Committee on Appeals.

Also,

[375] Petition of Margaret Anderson, for refunding of over-paid tax.

Referred to Committee on Appeals.

Also,

[376] Petition of Barbara Cosgrove, for refunding over paid tax.

Referred to Committee on Appeals.

Mr. **Rahausser**,

[377] Petition of John Weber, for abatement of business tax.

Referred to the Committee on Finance.

Also,

[378] Resolution for the repair of the sidewalk on Carson street, from the end of the wooden pavement to the city line, 24th ward.

Referred to Committee on Streets.

Mr. **Nautker**,

[379] Petition for public gas lamps on Chestnut alley, 30th ward.

Referred to the Committee on Gas Lighting.

Mr. **Foley**,

[380] Resolution directing the City Engineer to locate Chestnut street, 34th ward, taking the center line of present road for center of street.

No action.

Mr. **Neeb**,

[381] A report from the Committee on Streets, covering a statement of their expenditures for the months of June, July and August, amounting to \$32,226.72.

Which was read and accepted.

Also,

[382] An ordinance locating Reservoir avenue.

Referred to Committee on Roads.

Also,

[383] Report of the Viewers on the opening of Harrison street, from Fiftyeth to Fifty-second streets, Which was approved.

Also,

[384] Report of the Viewers on the opening of Sycamore street, from Washington street to Matern street,

Which was approved.

Also,

[385] Report of the Viewers on S. C., No

349, Entitled "An Ordinance authorizing the paving and curbing of Bluff street from west side of Miltenberger street to Shingiss street."

Which was read and accepted.

Also,

[349 S. C.] Entitled "An Ordinance authorizing the paving and curbing of Bluff street from west side of Miltenberger street to Shingiss street."

Which was read,

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Boucher, Clark, Conway, Dickson, Flinn, Fritz, Fennerty, Kerr, Mears, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Thomson, Torrence, Voskamp, Wainwright—20.

Noes—Bell, Foley, Hagan, Hughes, Kettenberg, Lemer, Roth, Rott—8.

Before the announcement of the result of the voting, Messrs. Hughes, Hagan, Kettenberg and Rott changed their vote from "no" to "aye."

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Fennerty** presented, recommended affirmatively by Committee on Appeals,

[386] Resolved, That the City Treasurer be, and he is hereby authorized and directed to allow exonerations of taxes for 1875, to the following persons:

William K. Young, 16th ward, for all taxes assessed against him.

P. Carroll, 14th ward, for all taxes assessed against him.

Frank McGrath, 16th ward, city tax, \$2.52; fire tax, 72 cents; W. W. interest tax, 96 cents, and sinking fund tax, 72 cents.

Which, the rule being suspended, was read three times and passed finally.

Also, from the same committee, affirmatively,

[387] Resolved, That the Controller be, and he is hereby authorized to issue his certificate for warrants for refunding of over-paid taxes in favor of the following named persons, and charge to Contingent Fund:

John Wallace.....	\$23 72
Michael Toner.....	15 32
John Metcalf.....	42 15
John Chislett.....	1 51
J. Dermitt.....	20 78

Which, the rule being suspended, was read three times and passed finally.

Also, from the same committee, affirmatively,

[388] Resolved, That the City Controller be, and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of the following named persons for refunding over-paid taxes, and charge Contingent Fund:

Lydia Jarrett, 14th ward.....	\$ 8 40
Joseph Wegeman, 16th ward.....	17 70
C. B. Seely, 19th ward.....	88 34
Franklin's heirs, 11th ward.....	27 67

Which, the rule being suspended, was read three times and passed finally.

Also, from the same committee, affirmatively,

[389] Resolved, That the City Treasurer be, and he is hereby authorized to allow exoneration of taxes to the following named persons, as assessed for 1876:

Names.	Ward.	City Tax.	Fire.	W. W. Int.	S. Fund.	Special.
Caroline Cuckert.....	36	\$ 2 40	\$ 1 10	\$ 66	\$ 60	\$ 4 20
W. & J. M. Taylor.....	36	31 28	13 00	8 58	7 80	54 60
D. P. Estep.....	14	1 50	59	41	37	
Jas. Quinn.....	27	1 60	66	44	40	40
Chas. Peacock.....	36	40	16	11	10	70

Which, the rule being suspended, was read a third time and passed finally.

[407 S. C.] A resolution fixing the hour of 4 p. m. for meeting in Joint Session, for the purpose of electing Board Measurers.

Passed by S. C.

Which was read and amended by fixing the hour of 3 p. m., and as amended passed.

Mr. **Roth** [by leave] called up

[S. C. No. 394.] A resolution for a warrant in favor of Martin Joyce, for the sum of \$5,000, on account of sewer contracts.

Passed in S. C. September 14th, 1876.

In C. C. September 11th, failed to pass.

Which was read.

And the rule being suspended, the resolution was read a third time.

And on the question, "Shall the resolution pass finally?" the ayes and noes were demanded by

Mr. **Foley**,

And the demand being sustained, the call was ordered, and were:

Ayes—Messrs. Boucher, Clark, Conway, Dickson, Flinn, Fritz, Fennerty, Hagan, Hogle, Hughes, Kerr, Kettenberg, Mears, McCafferty, Nantker, Neeb, Nisbet, Powers, Roth, Rott, Thomson, Torrence, Voskamp—23.

Noes—Messrs. Bell, Foley, Lemer, Rahausen, Reynolds, Wainwright—6.

And a majority of the votes of Common Council being in the affirmative, the resolution passed finally.

The Clerk of S. C. being introduced, announced that Select Council was now ready to meet with Common Council in Joint Session, for the purpose of electing three persons to serve as Board Measurers, and Select Council was introduced, and being so met in

JOINT SESSION

For that purpose, Councils proceeded to said election,

And
Mr. Barkley nominated Thos. B. Cook.
Mr. Brown [L. T.] nominated J. J. Mears.
Mr. Kerr nominated D. Baldwin.
Mr. Foley nominated M. Shehan,
 And the result of the voting was as follows:

For Thos. B. Cook:

Messrs. Bell, Boucher, Clark, Dickson, Flinn, Fritz, Fennerty, Foley, Hagan, Hogle, Hughes, Kerr, Kettenberg, Mears, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright.

For J. J. Mears:

Messrs. Bell, Boucher, Clark, Dickson, Flinn, Fritz, Fennerty, Foley, Hagan, Hogle, Hughes, Kerr, Kettenberg, Mears, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright.

For D. Baldwin:

Messrs. Boucher, Dickson, Flinn, Fritz, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Rahausser, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright.

For M. Shehan:

Messrs. Bell, Clark, Fennerty, Foley, Hagan, Hogle, McCafferty, Powers, Reynolds.

And

Thos. B. Cook received 77 votes.

J. J. Mears received 77 votes.

D. Baldwin received 53 votes.

M. Shehan received 24 votes.

And Messrs. Thos. B. Cook and J. J. Mears were declared to be duly elected Board Measurers for the district lying north of the Monongahela river.

And there being no choice for one person to be Board Measurer for the district lying south of the Monongahela river, Council again proceeded to said election,

And the result of the voting was as follows:

For D. Baldwin:

Messrs. Bell, Boucher, Dickson, Flinn, Fritz, Hughes, Kettenberg, Mears, Nantker, Neeb, Rahausser, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright—17.

For M. Shehan:

Messrs. Clark, Fennerty, Foley, Hagan, Hogle, Kerr, McCafferty, Nisbet, Powers, Reynolds—10.

And

D. Baldwin received 52 votes.

M. Shehan received 25 votes.

And there being no choice, Council again proceeded to said election.

And the result of the voting was as follows:

For D. Baldwin:

Messrs. Bell, Boucher, Dickson, Flinn, Fritz, Hogle, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Rahausser, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright—19.

For M. Shehan:

Messrs. Clark, Fennerty, Foley, Hagan, McCafferty, Nisbet, Powers, Reynolds—8.

And

D. Baldwin received 54 votes.

M. Shehan received 20 votes.

And there being no choice,

Mr. Foley moved to adjourn.

On motion, a division was had, and there were 25 ayes and 37 noes.

So the motion did not prevail.

Mr. Foley (by leave)

Withdrew the name of M. Shehan.

Council again proceeded to said election.

And the result of the voting was as follows:

For D. Baldwin:

Messrs. Boucher, Dickson, Flinn, Fritz, Hagan, Hogle, Hughes, Kerr, Kettenberg, Mears, Nantker, Neeb, Nisbet, Rahausser, Rott, Thomson, Torrence, Voskamp, Wainwright—19.

And D. Baldwin was declared duly elected Board Measurer for the district lying south of the Monongahela river.

And the business of the Joint Session being over, Select Council returned to their own Chamber.

BUSINESS FROM SELECT COUNCIL.

[399 S. C.] Report from the Committee on City Property for the month of August.

In S. C., September 11th, read and accepted.

In which action C. C. concurred.

[400 S. C.] A report from the Committee on Gas Lighting, reporting that the Committee had ordered a warrant in favor of the Pittsburgh Gas Company for the sum of \$14,018.04 in payment of bill for gas consumed to June 30th, 1876, with the proviso that the Gas Company would give a receipt in full of all demands against the city up until June 30th, 1876, and release the alleged claim against the city for \$10,884.96 for Government tax on gas, which claim the city denies.

In S. C., September 11th, read and accepted.

In which action C. C. concurred.

[401 S. C.] Report from the Committee on Roads for the months of June, July and August.

In S. C. September 11th, read and accepted.

In which action C. C. concurred.

[412 S. C.] Resolution directing the City Attorney to inquire into the pecuniary responsibility of the bondsmen of the United Savings Bank, and take immediate steps to secure the city against any loss on account of public moneys deposited with said bank.

In S. C., September 25th, passed.

In which action C. C. concurred.

[420 S. C.] A communication from the Finance Committee returning, with an affirmative recommendation, No. 360 C. C. entitled "A Resolution authorizing a warrant in favor of C. J. Schultz.

In S. C., September 25th, read and accepted.

In which action C. C. concurred.

[360 C. C.] A resolution authorizing a warrant in favor of C. J. Schultz, for the sum of five thousand dollars, being balance due for assessment against the city for Sylvan avenue bridge.

In S. C., September 25th, passed finally.

Which was read, and the rule was suspended for the third reading and final passage of the resolution.

Mr. Foley arose to a point of order,

That the "Wallace Bill" required that the ayes and noes should be taken on all bills, resolutions, &c., for the expenditure of money.

The chair decided the point not well taken.

And the resolution was passed finally.

Mr. Foley called up,

[380 C. C.] A resolution directing the City Engineer to locate Chestnut street, 34th ward, taking the center line of the present traveled road as the center line of street, and report a plan of the same to the Street Committee.

Which was read,

Mr. Foley moved,

The passage of the resolution.

Mr. Nisbet moved,

To postpone action until the next meeting.

Mr. Foley, by permission of Council, withdrew the resolution.

Mr. Nisbet presented,

[390] An ordinance authorizing the construction of a board walk on Knox avenue.

Referred to the Committee on Streets.

Mr. Hogle,

[391] Petition for the laying out of township road in the 27th ward to a width of 33 feet.

Referred to Committee on Streets.

Mr. Kerr presented,

[392] Petition of Mrs. Keefe for adjustment of valuation and refunding of over-paid tax.

Referred to Committee on Appeals.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, OCTOBER 9, 1876.

No. 24.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MCROW.....CLERK.

PITTSBURGH, October 9, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Barkley, Bates, Brown (R. B.), Bruce, Buckley, Carr, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Felker, Fox (Geo.), Fox (Gregor), Geiger, Gourley, Goldthorp, Hayden, Herron, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neill (E. M.), Perry, Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Stouff, Sorg, Taylor, Vierheller, Waring, Weldon, Welsh.

Absent—Messrs. Atkinson, Brown (S. S.), Brown (L. T.), Denniston, Dietrich, Duff (J. K. P.), Epping, Foster, Froehlich, Holliday, McCombs, O'Neill (Jno.), Ray, Sawyer, Schild and President Gross.

In the absence of the President Mr. Aiken was called to the Chair.

The minutes of the last meeting were partly read and approved as far as read.

Mr. Littell moved

That the order of the day be suspended to allow the consideration of business from C. C. on the desk.

Which motion prevailed.

The President presented

[436] The following communication from the Mayor returning to Councils S. C. resolution No. 394, for a warrant in favor of Martin Joyce for five thousand dollars.

PITTSBURGH, October 9, 1876.

To the President and members of the Select and Common Councils of the city of Pittsburgh:

GENTLEMEN—

I her-by return to your honorable bodies resolution No. 394, S. C., without my signature.

My reasons for so doing will be found in section 15th of ordinance entitled "Streets," page 289 of the City Code, which said section prescribes the manner of payments.

Yours respectfully,

WM. C. MCCARTHY,

Mayor.

Which was read and action postponed for the present.

S. C. bill, No. 87, entitled An Ordinance authorizing the Gas Committee to enter into a contract with the East End Gas Company.

In S. C., May 27th, read three times and passed.

In C. C., April 24th, amended. May 8th read three times and passed as amended. June 12th recalled and referred to a Committee of Conference.

Mr. Littell moved

To concur in the action of C. C.

Which motion prevailed, and Messrs. Littell and Bruce were appointed on the part of S. C.

C. C. bill, No. 193, entitled An Ordinance authorizing the construction of a bridge from Laurel avenue to Liberty avenue on the line of bridge crossing Pennsylvania railroad at Thirty-third street,

Which was read,

And action postponed.

C. C. bill, No. 228, entitled An Ordinance granting to John D. Negley privilege to erect weigh scales on Carson street, 30th ward,

Which was read,

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barkley, Bates, Brown (R. B.), Bruce, Carr, Darlington (B.), Duff (C. P.), Evans, Felker, Fox (Geo.), Fox (Gregor), Geiger, Gourley, Hayden, Hunter, Jeremy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McGimpsey, McKinley, Nusser, Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Stouff, Sorg, Taylor, Waring, Weldon, Welsh—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. bill, No. 230, entitled An Ordinance granting to Cummings Cherry the privilege to construct and maintain a sidewalk on Oak alley,

Which was read,

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (R. B.), Bruce, Carr, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Felker, Fox (Geo.), Fox (Gregor), Geiger, Gourley, Hayden, Herron, Hunter, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Nusser, Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Stouff, Sorg, Taylor, Waring, Weldon, Welsh—44.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. bill, No. 39, An Ordinance providing for the letting, by contract, of the cleaning of the streets, lanes and alleys in the first and second districts.

Which was read.

Mr. Darlington (H.) moved

To postpone action indefinitely.

On which motion a division was had, and there were thirteen ayes and twenty noes.

So the motion did not prevail.

Mr. Weldon moved
To amend the first section of the bill by striking out the words "first and second," and inserting instead thereof the words "road and," before the words "street districts."

On which motion a division was had, and there were eleven ayes and fifteen noes.

So the motion did not prevail.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Brown (R. B.), Buckley, Duff (C. P.), Fox (George), Fox (Gregor), Geiger, Moore, McCandless, McClurg, Powers, Reiman, Sorg, Waring, Welsh—15.

Noes—Messrs. Aiken, Barkley, Bates, Bruce, Carr, Darlington (H.), Evans, Felker, Gourley, Hayden, Hunter, Jeremy, Kernan, Kerr, Lagerman, Miller, Murray, MacConnell, McGimpsey, McKinley, Nusser, Perry, Rodgers, Rolfe, Schwarm, Shipton, Stouff, Taylor, Vierheller—29.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

S. C. bill, No. 350, entitled An Ordinance establishing the grade of Union alley, from Irwin alley to Grant street.

Which was read,

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bruce, Darlington (B.), Darlington (H.), Duff (C. P.), Felker, Fox (George), Fox (Gregor), Geiger, Gourley, Hayden, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Nusser, Perry, Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Stouff, Taylor, Vierheller, Waring, Weldon, Welsh—43.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

S. C. bill, No. 349, entitled An Ordinance authorizing the paving and curbing of Bluff street from west side of Miltenberger street to Shingiss street.

Which was read.

Mr. Kennedy moved
To amend by substituting the word "Marion" for Miltenberger.

Which motion prevailed,

And the bill was so amended.

Mr. Kennedy moved

To amend the title of the bill to read, An Ordinance authorizing the paving and curbing of Bluff street, from west side of Marion street to Shingiss street.

Which motion prevailed, and the title was so amended.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Bruce, Buckley, Carr, Dannels, Darlington (H.), Duff (C. P.), Evans, Fox (George), Fox (Gregor), Geiger, Gourley, Hayden, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McGimpsey, McKinley, Nusser, O'Neill (E. M.), Perry, Powers, Reiman, Rolfe, Schwarm, Shipton, Stouff, Taylor, Vierheller, Waring, Welsh—42.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

C. C. bill, No. 321, entitled An Ordinance fixing grade of Sylvan avenue extension.

S. C., September 11th, failed to pass for want of a legal majority.

Mr. Evans moved

The final passage.

Mr. Bruce moved

To refer to the Board of Viewers for a report as to whether there is property sufficient to pay the damages caused by the change of grade.

Mr. Rolfe moved

To suspend action on the bill indefinitely.

On which motion a division was had, and there were twenty-one ayes and twenty-two noes, so the motion did not prevail.

And on the motion to refer, a division was had, and there were twenty-four ayes and twenty-two noes, so the motion prevailed, and the bill was so referred.

S. C. bill, No. 292, entitled An Ordinance authorizing the opening of Reed street from Overhill street to Dinwiddie street.

Which was read and referred to the Street Committee.

C. C. bill, No. 268, entitled An Ordinance locating Hook street.

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bruce, Duff (C. P.), Fox (George), Geiger, Gourley, Hunter, Jeremy, Lagerman, Littell, Meyer, Miller, Murray, McCandless, McGimpsey, McKinley, Negley, O'Neill (E. M.), Shipton, Stouff, Sorg, Taylor, Vierheller, Waring, Weldon, Welsh—27.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. Hunter moved

That Council adjourn.

Which did not prevail.

Mr. Bruce moved

To proceed with the regular orders of the day.

Which motion prevailed.

Mr. Hunter presented,

[437] A petition from Hugh M. Bole for permission to make an approach to his machine shop from Duquesne Way.

Which was referred to the Street Committee.

Council proceeded to the reconsideration of the resolution referred to in the message from the Mayor, S. C. resolution, No. 394, authorizing the Controller to issue a certificate on the Mayor for a warrant in favor of Martin Joyce for five thousand dollars.

Mr. Duff (C. P.) moved

To postpone action until next regular meeting.

Which motion did not prevail.

And on the question, "Shall the resolution pass, notwithstanding the objections of the Mayor," the ayes and noes were directed to be taken, and being taken, were:

Ayes—Messrs. Ahl, Bates, Brown (R. B.), Bruce, Buckley, Dannels, Duff (C. P.), Evans, Fox (Geo.), Fox (Gregor), Geiger, Gourley, Hayden, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Miller, Murray, MacConnell, McGimpsey, McKinley, Negley, Nusser, Reiman, Rodgers, Schwarm, Shipton, Stouff, Sorg, Taylor, Vierheller, Waring, Weldon—36.

Noes—Messrs. Aiken, Barkley, McCandless, McClurg, O'Neill (E. M.), Powers, Welsh—7.

So the question was decided in the negative.

Mr. Hunter moved

That Council adjourn.

Which motion did not prevail.

Mr. Duff (C. P.) presented,

[438] A petition for the assessment of the damages caused by the grading of Ridge street.

Which was referred to the Committee on Roads.

Also,

[439] A petition from the citizens of the 12th and 13th wards, urging the erection of a bridge across the tracks of the Pennsylvania Railroad, about Twenty-eighth street.

Which was referred to a special committee of two from the Select and three from the Common Councils, and Messrs. Duff (C. P.) and Jeremy were appointed on the part of Select Council.

Also, the following:

[440] Resolved, That the Fire Commission be and are hereby directed to place a fire alarm box on Thirty-third street, 13th ward, at a convenient point near the school house.

Which was referred to the Fire Commission.

Also,

[441] Resolved, That to enable Councils to enforce Section two, of Rule two, the clerk be and he is hereby directed to report the names of members who have violated the said rule.

Which was read and passed.

Mr. **Littell** presented the following statement:

[442] On account of the onslaught of the *Dispatch*, it is perhaps necessary to give a statement of the transaction with the Pittsburgh Savings Bank. The amount of security given by them was \$400,000. A. Ackley, one of the securities, makes oath that he is worth \$50,000, having since failed. J. Lippincott, who makes affidavit that he is worth \$15,000, has also failed; leaving their bond still good for \$335,000, in addition to all the stockholders being individually liable. At the time their attention was drawn to the condition of the two bondsmen they considered the matter, and as they had a large amount of money lying now in the bank, they tendered the amount for which the broken bondsmen were liable to the Treasurer, of which he has already drawn, \$49,437.50, leaving only a balance of \$70,808.69 in their hands, which they are ready to meet when called for by the Treasurer, which can only be done in a lawful manner. The above statement is the very satisfactory reason for acting in the matter as we did in taking the money when they did not see fit to keep it at a cost of additional security.

Which was read and ordered to be filed.

Mr. **Bruce**, the following:

[443] Whereas, Penn avenue, Frankstown avenue, Cedar street, Taylor street, Winebiddle street, Elm street, Ella street, Main street, Collins avenue, Neville street, Fifth avenue, Shady Lane and Walnut street, Second avenue, Bedford avenue, Wylie avenue, Hiland avenue, Jane street, Webster avenue, Butler street, Pearl street, Forbes street, Brownsville and Washington avenues, Soho, Wadsworth, Emmet and Boston streets, Forbes street No. 2, Carson, Main and Chestnut streets, Ellsworth avenue, Liberty avenue, Stanton avenue, Thirty-third street and Lincoln avenue, have lately been graded and paved under the Penn avenue Act, and the cost of said improvements are, or are about to be assessed for collection from the properties abutting thereon, and

Whereas, It is apparent that fully one-half of said property so assessed is not worth and will not pay the amount so assessed thereon, and

Whereas, It would be unjust to compel any portion of the abutting property to pay its assessment and also be subject to the general taxation to supply the deficiency of the non-paying parties, and

Whereas, Under a general law the city has been lately assessed to pay three-fourths of the expense of grading and paving Wood street and part of Fifth avenue, and is liable to assessment in all similar cases hereafter to be done, therefore,

Resolved, That the Legislature be solicited to pass an Act, relieving said abutting properties from the payment of said unjust and inequitable assessments.

Which was read,

Mr. **Bruce** moved,

To refer to the Road Committee.

On which motion a division was had and there were eighteen ayes and seventeen noes.

So the motion prevailed.

Mr. **Evans**,

[444] Whereas, It appears that large sums of money have already been expended on the improvement of Soho street, and it is represented that the

property upon said street will not be of sufficient value to pay for its construction, therefore be it

Resolved, That a committee of five, two from Select and three from Common Council, be appointed to report, first, the amount already expended upon Soho street; second, the present state of the improvement, and third, the approximate amount necessary to complete the street.

Which was read and passed, and Messrs. Evans and Powers were appointed on behalf of Select Council.

Mr. **Sorg**,

[445] An Ordinance granting Charles Preller the right to erect a frame building.

Which was referred to the Committee on Wooden Buildings.

Mr. **Kerr**,

[446] Petition of Mrs. Mary Heintz, for an abatement of taxes on property in the — ward,

Which was referred to the Committee on Appeals from City Assessments.

Mr. **Shipton**, from the Finance Committee,

[447] A report covering and recommending the passage of the following Ordinances:

[S. C. bill No. 424] Entitled an Ordinance amending Section six, of an Ordinance, entitled "An Ordinance to provide for the safe keeping and custody of the funds of the City," passed 7th February, 1870.

[448] An Ordinance authorizing the issuing of five per cent. bonds to be exchanged for four per cent. bonds, known as the Railroad Compromise Bonds.

The report was read and accepted and the Ordinances were referred to the Finance Committee.

Also, from the same Committee

[449] A report returning to Councils, with an affirmative recommendation, S. C. No. 413, communication from the Board of Health, asking an additional appropriation for the present year.

Which was read and accepted.

Also,

[450] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor, for warrants amounting to \$4,000.00, in favor of the Board of Health, upon any appropriations having balances after payments of December bills of 1876.

Which was read, and the rule being suspended, the resolution was read a second and a third time.

Mr. **Shipton**, moved

The final passage of the resolution.

Which motion did not prevail.

Also, from the same Committee,

[451] A report covering and recommending the passage of a resolution for warrants in favor of John Weber and Evans, Zell & Co., for refunding over paid taxes.

Which was read and accepted.

Also,

[452] Resolved, That the Controller be and he is hereby authorized to issue his certificate for a warrant in favor of Evans, Zell & Co., to the amount of \$74.85; also to John Weber to the amount of \$25.50, on account of overpaid taxes, and charge the same to the Contingent Fund.

Which was read, and the rule being suspended, the resolution was read a third time and passed.

Also,

[453] A report covering a resolution for a warrant in favor of E. V. Brecht, for \$190.07, on account of firing Centennial salutes.

Which was read and accepted.

Also,

[454] Resolved, That the Controller be and he is hereby authorized to issue his certificate on the Mayor, for a warrant in favor of E. V. Brecht, captain of Hutchinson's Battery, on account of firing salute on July 3d and 4th, to the amount of \$190.07, and charge the same to the Contingent Fund.

Which was, the rule being suspended, read three times and passed.

Mr. **Shipton**, presented.

[455] Resolved, That the Controller be and he is hereby authorized to issue a certificate on the Mayor for a warrant in favor of Willie Sims, page of Select Council, for nine dollars, and charge the same to the Contingent Fund.

Which, the rule being suspended, was read three times and passed.

Mr. **McCauley**, from the Water Committee.

[456] A report covering an account of the expenditures for the month of September. \$7,136.88.

Which was read and accepted.

Mr. **Hunter**, from the Committee on City Property.

[457] A report covering a statement of the expenditures for the month of September, \$622.90.

Which was read and accepted.

Mr. **Schwartz**, from the Market Committee.

[458] A report covering a statement of the receipts and expenditures for the month of September, receipts, \$3,168.53, expenditures, \$.074.38.

[459] S. C. bill No. 428, entitled "An Ordinance amending the City Code, title markets."

Which was read once.

Report from the Committee on Rules.

In S. C. read and adopted, in C. C. read and amended and as amended adopted. S. C. recede from former action and concur in the action of C. C.

Adjourned.

at test E. J. WORKMAN
COMMON COUNCIL. C.

W. B. NEGLEY.....PRESIDENT
GEORGE BOOTH.....CLERK

PITTSBURGH, Oct. 9, 1876.

Council met.

Present—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Foley, Hagan, Hel-mold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright, President Negley.

Absent—Messrs. Boucher, Clark, Coll. Conway, Fritz, Hahn, Hogle, Ketteberg, Kirchner, Laughran, Mears, Powers, Robeson, Voskamp.

The minutes of the previous meeting were partly read, when, on motion of Mr. **Fox**, the further reading was dispensed with.

Mr. **Torrence** presented.

[No. 393] Petition of Jarvis & Adams, for permission to erect an iron-clad building.

Referred to Committee on Wooden Buildings.

Mr. **Neeb** presented.

[394] Petition of R. R. Reno, for payment of uncollected claim, for building board-walk on Yards alley.

Referred to Committee on Finance.

Also,

[395] Appeal of Richard Gillespie's heirs for reduction of valuation.

Referred to Committee on Appeals.

Also,

[396] Petition of Moore & Nesbit for abatement of assessment.

Referred to Committee on Appeals.

Mr. **Atcheson**.

[397] Petition of Fred Booz for refunding of overpaid tax, 1st ward.

Referred to Committee on Appeals.

Mr. **Nantker**.

[398] Petition for the erection of a board walk on Manor street 30th ward.

Referred to Committee on Streets.

Mr. **Thomson** presented.

[399] A report from the Committee on Streets covering their expenditures for the month of September, as follows:

First District Street Commissioner.....	\$2,192 60
Second " " " " " " " " " " " "	1,739 80
Third " " " " " " " " " " " "	1,169 74
Fifth " " " " " " " " " " " "	673 38
Sixth " " " " " " " " " " " "	857 00
Seventh " " " " " " " " " " " "	1,265 85
Board of Viewers.....	493 00
Engineer's Department.....	893 66

Total.....\$9,255 03

Unexpended balance.....\$29,626 82

Also,

[400] An Ordinance establishing the grade of Forbes street.

Referred to Committee on Streets.

Also,

[401] An Ordinance granting to Joseph Keeling the privilege to use dummy engines on his coal railroad on Twenty-first street.

Referred to Committee on Streets.

Also,

[402] An Ordinance establishing the grade of Bluff street, from Price street to Stevenson street.

Referred to Committee on Streets

Also,

[403] An Ordinance repealing an Ordinance entitled "An Ordinance authorizing the opening of Sycamore street, from Washington street to Mattern street," passed Nov. 2^d, 1875.

Referred to Committee on Streets.

Also,

[404] An Ordinance authorizing the assessment of damages and benefits caused by the grading of Locust street, from Shingiss street to Miltenberger street.

Referred to Committee on Streets.

Also,

[405] An Ordinance authorizing the repaving, repaving and recuring of Thirty-fourth street, from Liberty street to Liberty avenue.

Referred to Committee on Streets.

Also, from the Street Committee, affirmatively recommended,

[18 C. C.] Entitled "An Ordinance relating to the making of sewer connections."

Which was read,

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Foley, Hagan, Hel-mold, Hughes, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Roth, Rott, Thomson, Torrence, Wainwright, Negley—25.

Noes—Messrs. Kerr, Reynolds—2.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the same Committee, affirmatively recommended,

[41 C. C.] Entitled "An Ordinance for the licensing of drain layers, and prescribing rules and regulations for the same."

Which was read, and the rules were suspended for the third reading and final passage of the bill.

Mr. **Thomson** moved,

To amend by striking out of the seventh and eighth lines, the words "city of Pittsburgh or the city of Allegheny," and insert the words, "county of Allegheny."

Mr. **Fox** moved to amend,

By striking out of the seventh and eighth lines, the words "reside in the city of Pittsburgh or the city of Allegheny," and insert the words, "be a resident or property owner of the city of Pittsburgh."

Which did not prevail.

Mr. **Neeb** moved,

To amend, by striking out of the seventh and eighth lines, the words "reside in the city of Pittsburgh or the city of Allegheny."

Which prevailed.

Mr. **Reynolds** moved,
To lay the bill on the table.

On which a division was demanded, and there were nine ayes and fifteen noes.

So the motion did not prevail.

Mr. **Fox** moved,

To postpone action until the next meeting.

On which a division was demanded, and there were twelve ayes and fourteen noes.

So the motion did not prevail.

And on the question, "Shall the bill pass finally, as amended?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Hughes, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Roth, Thomson, Torrence, Wainwright—18.

Noes—Messrs. Ferson, Foley, Hagan, Helmsold, Kerr, Lemer, Rahausser, Reynolds, Rott, Negley—6.
And there not being a majority of the votes of Common Council in the affirmative the bill did not pass.

Also, from the same Committee, with a negative recommendation.

[353 C. C.] Entitled "An Ordinance authorizing the construction of a sewer on the line of Fifty-fifth street, as now located, from Butler street to the Allegheny river."

Which was read.

Mr. **Fox** moved,

To refer the bill back to the Committee on Streets.

Which prevailed.

And the bill was so referred.

Also, from the same Committee, affirmatively recommended.

[297 C. C.] Entitled "An Ordinance to reduce the width of Vickroy street, between Magee and Chestnut streets."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bell, Dickson, Dauler, Flinn, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright, Negley—26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the same Committee, with a negative recommendation.

[272 C. C.] Entitled "An Ordinance authorizing the construction of a sewer on Twenty-fourth street, from Liberty street to the Allegheny river."

Which was read.

And on motion of Mr. **Thomson**, action was indefinitely postponed.

Also, from the same Committee, affirmatively recommended.

[299 C. C.] Entitled "An Ordinance to reduce the width of Maria street, between Magee and Chestnut streets."

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the same Committee, affirmatively recommended.

[255 C. C.] Entitled "An Ordinance authorizing change of grade on Penn avenue, from Thirty-second to Thirty-fourth streets."

Which was read and the rules were suspended.

Mr. **Nisbet** moved

To indefinitely postpone further action,

On which a division was demanded, and the ayes were sixteen, and the noes were six.

So the motion to indefinitely postpone prevailed.

Also,

From the same committee, affirmatively recommended.

[296, C. C.] Entitled "An Ordinance authorizing the opening of Donnelly alley, from Fiftieth street to Fifty-second street."

Which was referred to the Board of Viewers.

Also,

From the same committee, with a negative recommendation.

[295, C. C.] Entitled "An Ordinance authorizing the grading, paving and curbing of Harcum's alley, from Seventeenth street to Eighteenth street."

Which was read.

And on motion of Mr. **Thomson** further action was indefinitely postponed.

Also,

From the same committee, affirmatively recommended.

[406, C. C.] Entitled "An Ordinance authorizing the grading and paving of the unimproved portions of Exchange alley, from Fourth street to Evans alley."

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fennerty, Ferson, Hagan, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright, Negley—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

From the same committee, affirmatively recommended.

[370, S. C.] Entitled "An Ordinance authorizing the grading, paving and curbing of Pride street, from Bluff street to Quince alley."

Which was referred to the Board of Viewers.

Also,

From the same committee, affirmatively recommended.

[294, C. C.] Entitled "An Ordinance establishing the width of the sidewalks on Cliff street, between Gum and Cassatt streets."

Which was read.

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fennerty, Ferson, Foley, Hagan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

From the same committee, affirmatively recommended.

[390, C. C.] Entitled "An Ordinance authorizing the construction of a board walk on Knox avenue, from Brownsville avenue to city line,"

Which was read,
And the rules being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Fennerty, Ferson, Foley, Hazan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright, Negley—26.

Noes—None.
And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,
[407, C. C.] A Report of the Viewers on 348, S. C., entitled "An Ordinance authorizing the grading, paving and curbing of Shingiss street, from north curb of Locust street to Bluff street,"

Which was read and accepted.
Also,
[348, S. C.] Entitled "An Ordinance authorizing the grading, paving and curbing of Shingiss street, from the north curb of Locust street to Bluff street,"

Which was read,
And the rules being suspended the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Flinn, Fennerty, Hagan, Kerr, Lemer, Moore, McCafferty, Neeb, Nisbet, Thomson, Torrence, Wainwright—15.

Noes—Messrs. Dauler, Ferson, Foley, Helmsold, Hughes, McClarran, Nantker, Rahausser, Reynolds, Roth, Negley—11.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.

Also,
[408, C. C.] Report of the Viewers on the opening of Lelia street, from Southern avenue to Grand avenue,

Which was approved.
Also,
From the Street Committee, with an affirmative recommendation,

[No. 571. (1875.) C. C.] Report of the Viewers on the opening of Hatfield street, from Forty-fourth street to Forty-fifth street,

Which was approved.
Also,

[409] Report of the Viewers on the damages caused by the grading of Second avenue, from Cross street to railroad crossing at Glenwood,

Which was approved.

Also,
[410] Report of Viewers on the construction of a bridge over the Pennsylvania railroad, on the line of Ellsworth avenue,

Which was approved.

Mr. **Rahausser** presented
[411] A report from the Survey Committee, covering a statement of their expenditures for the month of September, amounting to \$731.00,

Which was read and received.

Also,
From the same committee, affirmatively recommended,

[354, C. C.] Entitled "An Ordinance changing the width of Sylvan avenue extension,"

Which was read,
And the rule was suspended for the third reading of the bill.

Mr. **Dauler** moved
To amend by striking out the words "forty feet," and inserting the words "thirty-three feet."

Mr. **Neeb** moved

To postpone action for the present,
Which did not prevail.

And the question recurring on the motion to amend, it did not prevail.

Mr. **Thomson** moved

To postpone further action until a report could be had from the City Engineer as to the necessity of the reduction of the width,

Which prevailed.

Mr. **Rahausser**, from the Committee on Surveys, affirmatively recommended

[355, C. C.] Entitled "An Ordinance establishing the grade of the center line of Ridge street, from Thirty-third to Craig streets,

Which was read,

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Fennerty, Foley, Hagan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Thomson, Torrence, Wainwright—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,
From the same committee, affirmatively recommended,

[320, C. C.] Entitled "An Ordinance establishing the grade of Homewood avenue,"

Which was read,

And the rules being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Fennerty, Foley, Hagan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Torrence, Wainwright—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

At this point the City Engineer appeared, and at the request of Councils, stated that bill No. 354, C. C., entitled "An Ordinance changing the width of Sylvan avenue extension," would, if passed, result in a saving of nearly twenty thousand dollars in the construction of the street.

And the rules being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fennerty, Foley, Hagan, Helmsold, Hughes, Kerr, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Torrence, Wainwright—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Dickson** presented,

[412] A report from the Committee on Police, covering a statement of their expenditures for the month of September, amounting to \$15,797.98.

Which was read and received.

Mr. **Neeb** (by leave) presented,

[413] Petition for the opening of Reservoir avenue, from River avenue to Hiland avenue Reservoir.

Referred to Committee on Roads.

Also,

[414] Petition for the opening of Woodville avenue extension, from Washington pike to Shalersville, 35th ward.

Referred to Committee on Streets.

Also,

[415] Resolution for a warrant in favor of Wm. Finch, Sr., for the sum of one hundred dollars.

Referred to Committee on Finance.

Mr. **Dickson** presented,

[416] A report from the Committee on City Printing, announcing the award of a contract for printing and binding 300 copies of annual report of Superintendent of Water Works and Water Assessor, to Mess.

Dillon and Telford, at \$34.98; and covering a statement of expenditures for the month of August, amounting to \$52.95.

Which was read and approved.

Also,

[417] A report of the Committee on City Printing, covering a statement of their expenditures for the month of September, amounting to \$1,537.35.

Which was read and received.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL 9.

MONDAY, OCTOBER 16, 1876.

No. 25.

Municipal Record.

SELECT COUNCIL.

OFFICE OF THE CITY CONTROLLER,
PITTSBURGH, October 13, 1876. }

E. S. MORROW, Esq., City Clerk :

SIR—You will call a special meeting of Select Council for Monday, October 16th, 1876, to consider business to be reported by the Finance Committee.

R. M. SNODGRASS,
Clerk to Finance Committee.

PITTSBURGH, October 16, 1876.

Council met, pursuant to the foregoing call.

Present—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (S. S.), Brown (L. T.), Bruce, Buckley, Dannels, Darlington (B.), Duff (C. P.), Epping, Foster, Fox (George), Fox (Gregor), Geiger, Herron, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, Nusser, O'Neil (Jno.), Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Shipton, Stouff, Sorg, Taylor, Weldon, Welsh.

Absent—Messrs. Carr, Darlington (H.), Denniston, Dietrich, Doyle, Duff (J. K. P.), Evans, Felker, Froehlich, Gourley, Goldthorp, Hayden, Holliday, Kennerly, Lappan, Meyer, Miller, McCombs, McConnell, Negley, O'Neil (Eugene M.), Perry, Rolfe, Sawyer, Vierheller, Waring, President Gross.

The remainder of the minutes of September 25th, were read and approved.

The minutes of the meeting of October 9th, were read.

Mr. **McCandless** moved

To approve as read.

Mr. **Shipton** moved

To amend that portion of the minutes relative to the action on S. C., No. 450, resolution authorizing the Controller to pay from unexpended balances in appropriations, warrants drawn against the Board of Health appropriation, to the amount of \$4,000.00, so as to show that the resolution was finally passed.

On which motion a division was had, and there were thirteen ayes and twenty-six noes.

So the motion did not prevail.

And on the motion to approve a division was had, and there were twenty-one ayes and nine noes.

So the motion prevailed, and the minutes as read were approved.

Mr. **Shipton**, from the Finance Committee, presented.

With an affirmative recommendation.

S. C. bill, No. 424, entitled "An Ordinance amending section six of an Ordinance, entitled 'An Ordinance

nance to provide for the safe keeping and custody of the funds of the city, passed 7th February, 1870."

Which was read.

Mr. **Shipton** moved

That the rule be suspended to allow the third reading and final passage of the bill,

Which motion prevailed.

And the rule being suspended, the bill was read a second time

Mr. **Weldon** moved to amend

By making the latter clause of the bill read "keeping in each such proportion of the funds as the Finance Committee shall in their judgment determine."

Mr. **Duff** (C. P.) moved

To amend the amendment by inserting the words "the City Treasurer and," after the word "as" which was accepted.

Mr. **O'Neil** (John) moved

To lay the amendments on the table,

Which was, by leave, withdrawn,

And the motion to amend did not prevail.

Mr. **Bruce** moved

To amend the bill by the addition of the following proviso,

"Provided, that the consent of the Finance Committee and all the bondsmen be first had and obtained, before the change shall be made by the City Treasurer."

On which motion a division was had and there were twenty-four ayes and thirteen noes, so the motion prevailed and the bill was so amended.

Mr. **Shipton**, from the Finance Committee, affirmatively recommended,

[S. C. bill, No. 448] Entitled "An Ordinance authorizing the issuing of five per cent. bonds, to be exchanged for four per cent. bonds known as the 'Railroad Compromise Bonds.'"

Which was read.

Mr. **Shipton** moved.

That the rule be suspended to allow the third reading and final passage of the bill.

Which motion prevailed.

And the bill was read a second time.

Mr. **Duff** moved

To amend the bill by the transposition of the phrase "at the rate of eighty-six (86) per centum, of their face value," to immediately after the words "said four per cent. bonds shall be exchanged."

Which did not prevail.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown (S. S.), Brown (L. T.), Bruce, Buckley, Dannels, Darlington (B.), Duff (C. P.), Epping, Foster, Fox (George), Geiger, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Murray, McCandless, McClurg, McKinley, O'Neil (John), Ray, Schild, Schwarm, Shipton, Sorg, Stouff, Taylor, Welsh—33.

Noes—Messrs. Atkinson, Barclay, Bates, Moore, McGimpsey, Powers, Reiman, Rodgers, Weldon—9.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. Shipton moved

To proceed to the consideration of other business,
Which motion prevailed.

Mr. Jeremy moved

To reconsider action on S. C., No. 450, resolution authorizing the Controller to charge warrants chargeable to the Board of Health appropriation, to appropriations having an unexpended balance after payment of December rolls, to the amount of \$4,000.00.

Which motion did not prevail.

Mr. McClurg presented

[458] An Ordinance authorizing the assessment of the benefits and damages caused by the grading of Sarah street from Thirtieth street to the city line.

Which was referred to the Street Committee.

Mr. Taylor,

[459] An Ordinance authorizing the opening of Forty-seventh street, from the south side of the Allegheny Valley railroad to the north side of the Allegheny Valley railroad.

Which was referred to the Street Committee.

Mr. Kerr,

[460] An Ordinance relating to the passage of vehicles at street crossings.

Which was referred to the Ordinance Committee.

Mr. Weldon,

From the special committee to whom was referred S.

C. bill No. 112, entitled "An Ordinance granting certain privileges to the South Side Passenger Railway Company," presented with an affirmative recommendation as amended in committee.

[S. C. bill, No. 112.] Entitled "An Ordinance granting certain privileges to the South Side Passenger Railway Company."

Which was read.

Mr. Weldon moved,

To suspend the rule to allow the third reading and final passage of the bill.

Which motion prevailed, and the rule was suspended and the bill was read a second time.

Mr. Shipton moved

To amend the bill by striking out the words "And all small cars of half the capacity of the two horse cars and market cars to be paid for at one-half the above rates," in paragraph 8, of section 2.

Which motion did not prevail.

Mr. Kerr moved

To amend section 2, paragraph 7, to read:

"The said Company shall not charge for passengers carried on their road within the limits of the city of Pittsburgh, a higher or greater fare than five cents for each passenger."

Which motion prevailed and the bill was so amended.

And on motion Council adjourned.

attest

E. D. Morrow

Clk

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, OCTOBER 30, 1876.

No. 26.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MCBROW.....CLERK.

PITTSBURGH, Oct. 30, 1876.

Council met.

Present—Messrs. Aiken, Atkinson, Bates, Brown (R. B.), Brown (S. S.), Brown (L. T.), Buckley, Carr, Dannals, Darlington (B.), Denniston, Duff (C. P.), Felker, Foster, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Hayden, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (Jno.), Powers, Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Stouff, Sorg, Taylor, Vierheller, Waring, Weldon.

Absent—Messrs. Ahl, Barclay, Bruce, Darlington (H.), Dietrich, Duff (J. K. P.), Epping, Evans, Goldthorp, Herron, Holliday, Jeremy, Lappan, McCombs, Negley, O'Neill (E. M.), Perry, Shipton, Sawyer, Welsh, President Gross.

In the absence of the President, Mr. Aiken was called to preside.

The minutes of the last meeting were read and approved.

Mr. **Gourley** presented,

[461] A resolution refunding overpaid taxes to Philip Mengis, of the Seventh ward.

Which was referred to the Committee on Appeals.

Also,

[462] Petition of Lucy Miller, for refunding of overpaid taxes.

Which was referred to the Committee on Appeals.

Also,

[463] Petition of D. Hill, for refunding of overpaid taxes.

Which was referred to the Committee on Appeals.

Mr. **O'Neill (John)**,

[464] Petition of Thomas O'Neill, for refunding of overpaid taxes.

Which was referred to the Committee on Appeals.

Mr. **Taylor**,

[465] Petition of E. J. McAdams, for refunding of overpaid taxes.

Which was referred to the Committee on Appeals.

Mr. **Lagerman**, the following:

[466] Whereas, N. P. Sawyer has been absent from five consecutive meetings of this Council—he being a member from the 18th ward, without sending or making any excuse for said absence, therefore,

Resolved, That his absence be considered and taken to be a resignation of his office as a member of Select

Council from the 18th ward; and that the Mayor be directed to issue his proclamation for an election, for a member of Council from the 18th ward, to fill the vacancy thus caused.

Which was read,

And the rule being suspended, the resolution was read a third time,

And on the question for its final passage, a division was had, and there were ten ayes and eleven noes, so the resolution was not passed.

The **President** presented

[467] A petition for the opening of Centre avenue, from Neville street to Liberty avenue.

Which was referred to the Road Committee.

Also,

[468] A petition of citizens for the enactment of an Ordinance prohibiting the practice of jumping on railroad trains while in motion.

Which was referred to the Ordinance Committee.

Also,

[469] An Ordinance prohibiting persons from getting on or off locomotives or cars while in motion.

Which was referred to the Ordinance Committee.

Mr. **Denniston**,

[470] Resolved, That the City Controller be and he is hereby authorized and directed to advertise for proposals for the erection of a city weigh scales on Lincoln avenue, at or near Leanington avenue, 21st ward.

Which was read a third time and finally passed, the rule having been suspended.

Mr. **Littell**,

[471] An Ordinance authorizing the assessment of the cost of construction of a bridge over Negley's run, on the line of Lincoln avenue.

Which was referred to the Committee on Roads.

Also,

[472] An Ordinance authorizing the assessment of cost of construction of bridge over Boundary street, on the line of Forbes street.

Which was referred to the Committee on Roads.

Also,

[473] Resolved, That the City Engineer be and he is hereby instructed to give the Pennsylvania Railroad Company the location for Thirty-third street bridge and to request them to proceed with its erection.

Which was read, and action was postponed.

Mr. **Carr**,

[474] A resolution authorizing the laying a crossing on Pius street, from the west corner of Birmingham street.

Which was referred to the Street Committee.

Mr. **Rolfe**,

[475] The resignation of William McCombs as a member of Select Council from the 30th ward.

Which was read and accepted.

Also,

[476] Resolved, That the Mayor be requested to withhold his proclamation for an election to fill the vacancy caused by the resignation of Wm. McCombs as a member of this Council, until the regular election in February.

Which was read and passed.

Mr **Sorg**, from the Committee on Wooden Buildings, affirmatively as committed

[S. C. bill No. 445] Entitled "An Ordinance granting Charles Preller the privilege to erect a frame building in the 17th ward."

Which was read,

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (S. S.), Brown (L. T.), Carr, Dannals, Darlington (B.), Denniston, Felker, Fox (Gregor), Froehlich, Geiger, Hayden, Hunter, Kennedy, Kernan, Kerr, Lagerman, Meyer, Miller, Murray, McCandless, McClurg, Nusser, O'Neil (Jno.), Ray, Schild, Schwarm, Stouff, Sorg, Vierheller—30.

Noes—Messrs. Fox (George), Gourley, Moore, McKinley, Reiman, Rolfe, Taylor, Weldon—8.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. **Littell**, from the Committee on Gas Lighting,

[477] A report from the committee covering a statement of the expenditures for the month of October—\$9,740.02.

Which was read and accepted.

Also, from the same Committee,

[478] Resolved, That the Pittsburgh Gas Company be and they are hereby directed to erect public gas lamps at the following points on Liberty street:

One north-west corner of Thirtieth street, one south-east corner of Thirty-first street, one south-west corner of Thirty-third street.

Which, the rule being suspended, was read a third time and finally passed.

Mr. **Kerr**, from the Committee on Ordinances, affirmatively,

[S. C. bill No. 460] Entitled "An Ordinance regulating travel at and approaching street crossings."

Which was read,

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Carr, Darlington (B.), Denniston, Felker, Fox (George), Fox (Gregor), Geiger, Gourley, Hayden, Hunter, Kennedy, Kernan, Kerr, Miller, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, Nusser, Powers, Reiman, Rodgers, Rolfe, Schwarm, Stouff, Sorg, Taylor—32.

Noes—Messrs. Brown (S. S.), Buckley, Dannals, Froehlich, Lagerman, Meyer, McKinley, Ray, Schild, Vierheller, Waring, Weldon—12.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Also from the same Committee, affirmatively,

[S. C. bill No. 363] Entitled "An Ordinance prohibiting the use of steam whistles in the city of Pittsburgh."

Which was read.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Bates, Brown (L. T.), Buckley, Dannals, Darlington (B.), Denniston, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Gourley, Hayden, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, O'Neil (Jno.), Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Stouff, Sorg, Taylor, Vierheller, Weldon, Aiken.

Noes—Messrs. Brown (S. S.), Carr, Hunter, Moore, Nusser, Powers.

Before announcing the result, Mr. **Felker** asked, and obtained leave, to change his vote from no to aye, And the ayes were, 40

And the noes were, 6.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **MacConnell**, from the Road Committee,

[479] A report covering a statement of the expenditures for the month of September, amounting to \$1,586.74.

Which was read and accepted.

[C. C. bill No. 382] Entitled "An Ordinance locating Reservoir avenue."

Which was referred to the Board of Viewers.

Also, from the same committee,

[480] A report from the Board of Viewers setting forth that property sufficient could be found to pay the damages caused by the opening of Station street from Frankstown avenue to Pennsylvania railroad.

Which was read and accepted.

Also, from the same committee, affirmatively,

[S. C. bill No. 317] Entitled "An Ordinance authorizing the opening of Station street, from Frankstown avenue to Pennsylvania railroad."

Which was read.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Bates, Brown (R. B.), Brown (S. S.), Brown (L. T.), Carr, Dannals, Darlington (B.), Denniston, Felker, Fox (George), Fox (Gregor), Geiger, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Nusser, Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Stouff, Sorg, Taylor, Vierheller, Weldon—41.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

The following reports from the Board of Viewers of Street Improvements were taken up:

[C. C., No. 350] On the cost of the construction of a sewer on Concord alley, from Rose street to Centre avenue.

Which was read and approved.

[C. C., No. 35] On the cost of the construction of the Fourth avenue sewer.

Which was read and approved.

Mr. **MacConnell**, by leave, presented,

[481] A petition for the erection of public gas lamps on Stanton avenue, east of Millard avenue.

Which was referred to the Committee on Gas Lighting.

[C. C., No. 352] Report of the Board of Viewers of Street Improvements on the damages and benefits caused by the opening of Forbes street, from Ross street to Boyd street.

Mr. **Dannals** moved

To postpone action for the present.

Mr. **Waring** moved

To refer to the Street Committee.

On the motion to postpone a division was had, and there were twenty-six ayes and seventeen noes. So the motion prevailed.

Mr. **Kennedy**, by leave, presented

[482] A remonstrance against the approval of the report of the Board of Viewers, and a petition asking that the location of the proposed extension be changed.

Which was referred to the Street Committee.

[S. C. bill No. 424] Entitled "An Ordinance amending section six of an Ordinance entitled 'An Ordinance to provide for the safe keeping and custody of the funds of the city,' passed 7th February, 1870."

In S. C., October 9th, read a second time and amended, was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Bates, Brown (R. B.), Brown (L. T.), Brown (S. S.), Buckley, Darlington (B.), Denniston, Duff, (C. P.), Felker, Fox (George), Froehlich, Gourley, Hayden, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neil (John), Powers, Rolfe, Schild, Schwarm, Stouff, Taylor, Vierheller, Waring, Weldon, Aiken—38.

Noes—Messrs. Atkinson, Carr, Dannals, Fox (Gregor), Geiger, Miller, MacConnell, Nusser, Ray, Reiman, Rodgers, Sorg—12.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 428] Entitled "An Ordinance amending City Code, Title Markets."

In Select Council, October 9th, read once.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Bates, Brown (L. T.), Brown (S. S.), Carr, Felker, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Hayden, Hunter, Kernan, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McKinley, McGimpsey, Negley, Powers, Ray, Rodgers, Rolfe, Schild, Schwarm, Stouff, Sorg, Taylor, Vierheller, Waring, Weldon—36.

Noes—Messrs. Dannals, Denniston, Nusser—3.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. **Taylor**, by leave, called up

[C. C. bill No. 231] Entitled "An Ordinance authorizing the grading and paving of Union alley, from Grant street to the upper or south-eastern line of property of Johns' estate.

Which was read,

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Bates, Brown (L. T.), Brown (S. S.), Buckley, Carr, Dannals, Denniston, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Gourley, Hunter, Kernan, Lagerman, Littell, Miller, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, Nusser, Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Sorg, Taylor, Vierheller, Waring, Weldon—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Powers**, by leave, called up the following papers from Common Council:

[C. C., No 437] A resolution granting Hugus & Hacke the right to lay the Vulcanite pavement on Market street in front of their property.

Which, the rule being suspended, was read a third time and finally passed.

[C. C., Nos. 138, 191, 243, 386, 389] Resolutions authorizing the City Treasurer to allow certain exonerations of taxes.

Which, the rule being suspended, were severally read three times and passed.

[C. C. Nos. 76 387, 388] Resolutions authorizing the issuing of warrants for refunding overpaid taxes.

Which, the rule being suspended, were severally read three times and passed.

Mr. **Littell**, by leave, called up C. C. bill No. 20, entitled "An Ordinance establishing the grade of Homewood avenue."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?"

the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Bates, Brown (S. S.), Brown (L. T.), Buckley, Dannals, Denniston, Fox (Geo.), Froehlich, Geiger, Gourley, Hayden, Hunter, Kernan, Lagerman, Littell, Moore, Murray, McCandless, McClurg, McKinley, Negley, Nusser, Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Stouff, Sorg, Taylor, Vierheller, Waring, Weldon—36.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. **Moore**, by leave, presented,

[438] A petition for the erection of a public gas lamp on Davis street, between Wylie and Webster avenues.

Which was referred to the Committee on Gas Lighting.

Mr. **Brown (L. T.)**, by leave, called up

[C. C. bill No. 286] Entitled "An Ordinance authorizing the construction of a sewer on Soho run, from culvert under Fifth avenue, to culvert under Forbes street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atkinson, Brown (L. T.), Brown (S. S.), Buckley, Dannals, Denniston, Geiger, Gourley, Hayden, Hunter, Kernan, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McKinley, Negley, Nusser, Ray, Rodgers, Schild, Sorg, Vierheller, Waring, Weldon, Aiken—29.

Noes—Messrs. Bates, Fox (George), Froehlich, Powers, Rodgers, Schwarm, Taylor—7.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

On motion, Council adjourned.

attest E. S. MORROW

COMMON COUNCIL.

W. B. NAGLEY.....PRESIDENT
GEORGE BOOTH.....CLERK

PITTSBURGH, October 30, 1876.

Council met.

Present—Messrs. Atcheson, Bell, Dauler, Flinn, Fritz, Fennerty, Foley, Hahn, Helms, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahanser, Reynolds, Roth, Rott, Torrence, Wainwright, President Negley.

Absent—Messrs. Boucher, Clark, Coll, Conway, Dickson, Fox, Ferson, Hagan, Laughran, Mears, Powers, Robeson, Thomson, Voskamp.

On motion of Mr. **Atcheson** the reading of the minutes was dispensed with.

Mr. **Dauler** presented,

[419.] Petition of Louis Berkowitz for refunding of overpaid taxes.

Referred to Committee on Appeals.

Also,

[420.] An Ordinance repealing an Ordinance, entitled "An Ordinance authorizing the construction of a sewer on Locust street, from Meyran avenue to Ravine street." Passed September 24th, 1875.

Referred to Committee on Roads.

Also,

[421.] An Ordinance authorizing the assessment of the damages and benefits caused by the grading of Ridge street from Thirty-third street to Roup street.

Referred to Committee on Roads.

Also, [422.] An Ordinance granting to the Pittsburgh Gas Company the right to lay a switch track on Second avenue.
Referred to Committee on Roads.

Also, [423.] Resolution authorizing the Road Committee to enter into a contract with the Pittsburgh Gas Company for change of grade on Second avenue, and repaving of same.
Referred to Committee on Roads.

Also, [424.] An Ordinance authorizing the construction of a sewer on Beech alley, from Gist street, to connect with the Forbes street sewer.
Referred to Committee on Roads.

Also, [425.] Petition for the construction of a sewer on Beech alley, from Gist street to Seneca street.
Referred to Committee on Roads.

Also, [426.] Resolution directing the Road Commissioner of First District to notify property owners to pave sidewalks on Craig street.
Referred to Committee on Roads.

Mr. **Fennerty** presented,
[427.] Petition for approach to Thirty-third street on Laurel avenue.
Referred to Committee on Streets.

Mr. **Hogle** presented,
[428.] Petition of Henry Wolf for reduction of property tax, 31st ward.
Referred to Committee on Appeals.

Mr. **Nisbet** presented,
[429.] A report from the Board of Viewers on C. C. 295, entitled "An Ordinance authorizing the opening of Donnelly alley from Fiftieth to Fifty-first streets, stating that there is no alley existing at the point designated by the Ordinance.
Which was read and accepted.

Also, [296 C. C.] Entitled "An Ordinance authorizing the opening of Donnelly alley, from Fiftieth street to Fifty-first street.
Referred back to the Committee on Streets.

Also, from the Street Committee.
[384 S. C.] An Ordinance establishing the width of Washington street, from Grand to Grandview avenues, 32d ward.
Referred to Committee on Surveys.

Also, from the same Committee,
[335 S. C.] Entitled "An Ordinance establishing the width of St. Clair street, from Grandview avenue to Southern avenue, 32d ward.
Referred to Committee on Surveys.

Also, from the Street Committee,
[409 S. C.] Remonstrance against the widening of Washington street, 32d ward.
Referred to Committee on Surveys.

Also, from the Street Committee,
[371 C. C.] Petition for the location of township road, 27th ward, at a width of thirty-three feet,
Referred to Committee on Surveys.

Also, [430.] Report of the Viewers of Street Improvements on S. C. No. 370, entitled "An Ordinance authorizing the grading, paving and curbing of Pride street, from Bluff street to Quince alley.
Which was read and accepted.

Also, [S. C. 370.] Entitled "An Ordinance authorizing the grading, paving and curbing of Pride street, from Bluff street to Quince alley.
Which was read.

And the rule being suspended, the bill was read a third time.
And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Ball, Dauler, Flinn, Fritz, Fennerty, Folsy, Hogle, Hughes, Kerr, Kettenberg,

Kirchner, Lemer, Moore, Nantker, Neeb, Nisbet, Rahauer, Reynolds, Wainwright, Negley—21.
Noes—Messrs. McClarran and Roth—2.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.
Also,

[431.] Report of the Viewers of Street Improvements on the opening of Union alley from Grant street to upper line of Johns estate.
Which was approved.

Also, [432.] Report of the Viewers of Street Improvements on the damages caused by grade on Madison street, from Fifth avenue to Forbes street.
Which was read.

Mr. **Dauler** moved,
To lay the Report on the table.
Which motion prevailed.

Also, [433.] Report of the Viewers of Street Improvements on cost of construction of bridge over Watson's hollow, on Sylvan avenue extension.
Mr. **Neeb** moved,

To approve the Report.
Mr. **Kerr** moved,
To postpone action until the next meeting.
Which prevailed.

Mr. **Hahn** presented,
[434.] A Report of the Committee on Monongahela Wharf, covering a statement of their receipts and expenditures for the month of September, as follows;

NORTH SIDE WHARF.

Receipts\$899 10 Expenditures\$143 33

SOUTH SIDE WHARF.

Receipts\$53 25 Expenditures.....\$63 23

Which was read and received.
Mr. **Fennerty** presented,
From the Committee on Appeals, affirmatively recommended.

[435.] Resolved, That the City Treasurer be and he is hereby directed to allow Francis Murphy, of the 17th ward, the following abatement on city taxes:

City	\$8 93
Water Works interest.....	3 40
Fire	2 55
Sinking Fund.....	2 55
Business Tax	7 55

Which was read,
And the rule being suspended, was read a third time and passed.

Also, from the same Committee, affirmatively.
[436.] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for warrants in favor of the following named persons for the amounts set opposite their names, respectively, for refunding overpaid taxes, and charge the same to the Contingent Fund:

John B. Davis	\$ 22 70
D. P. Estep	2 87
W. & J. M. Taylor	109 42
P. C. Cody	5 11
E. Boze	6 64
Henry Schwarm.....	9 71
Barbara Cosgrove.....	12 58
Jno. Boyd	5 42
Barbara Junghaus.....	5 76
Wm. Duckham	26 37

Which, the rule being suspended, was read three times and finally passed.

Mr. **Neeb** (by leave) presented,
[437.] Resolved, That Hugus & Hacke be and they are hereby permitted to lay the Vulcanite pavement on Market street, in front of their property, the full width of the roadway, at their own cost and expense, and the city in no case to be chargeable for the same.

Which was read,

Mr. McClarran moved,
To refer the resolution to the Street Committee.
Which, on a division being had, did not prevail.
Ayes, 6. Noes, 16.

Mr. Foley moved,
To amend by adding the following: Provided, The city can at any time remove the same, and that when Market street shall be repaved throughout, said Hugus & Hacke shall not plead this pavement, but will submit to such action as Councils and the Board of Viewers shall take in relation to such repaving.

Which prevailed,
And the resolution, as amended, was read a third time and passed finally.

Mr. Flinn presented,
[438.] A resolution for a warrant in favor of Jno. O'Keefe, assignee of Henry A. Freyvogle, for castings used in the construction of Butler street sewer.
Referred to Committee on Streets.

BUSINESS FROM SELECT COUNCIL.

[429 S. C.] Report from the Committee on Wooden Buildings.

In S. C., September 25th, read and accepted.

[421 S. C.] A communication from the Finance Committee, covering a resolution for warrants in favor of John Parkinon and others, for damages caused by grading Sylvan avenue.

In S. C., September 25th, read and accepted.

In which action C. C. concurred.

[422 S. C.] Communication from the Finance Committee, returning, with affirmative recommendation, S. C. Bill No. 379.

In S. C., September 25th, read and accepted.

In which action C. C. concurred.

[430 S. C.] Resolution authorizing the erection of public gas lamps by the Pittsburgh Gas Company.

In S. C., September 25th, passed finally.

Which, the rule being suspended, was read three times and passed finally.

[431 S. C.] Resolution authorizing the erection of public gas lamps by the East End Gas Company.

In S. C., September 25th, passed finally.

Which, the rule being suspended, was read a third time, and not having the required two-fifths vote, did not prevail.

[432 S. C.] Resolution for the erection of public gas lamps by the West Pittsburgh Gas Company.

In S. C., September 25th, passed finally.

Which was read.

Mr. Foley moved.

To non-concur in the action of S. C., and ask for a Committee of Conference.

Which prevailed.

[455 S. C.] Resolution for a warrant in favor of W. H. Sims for the sum of \$9.00, for services as page to Select Council.

In S. C., October 9th, passed finally.

Which, the rule being suspended, was read three times and passed.

[423 S. C.] Resolution for a warrant in favor of John Woods for \$7.50, for refunding overpaid taxes.

In S. C., September 25th, passed finally.

Which, the rule being suspended, was read three times and passed.

[427 S. C.] Report from Committee on Markets, covering their receipts and expenditures for the month of August.

In S. C., September 25th, read and accepted.

In which action C. C. concurred.

[426 S. C.] Report from the Water Extension Committee, covering contracts for laying water pipe on Breckinridge avenue, and building smoke stacks for new pumping works.

In S. C., September 25th, read and approved.

In which action C. C. concurred.

[425 S. C.] Report of the Water Committee, covering their expenditures for the months of July and August.

In S. C., September 25th, read and accepted.

In which action C. C. concurred.

[260 C. C.] Entitled "An Ordinance granting Geo. Duncan & Sons privilege to erect an addition to a frame building."

In S. C., September 25th, passed finally.

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Archeson, Bell, Dauler, Flinn, Fritz, Fennerty, Foley, Hahn, Helmsold, Hozle, Hughes, Kerr, Kettenberg, Kirchner, Lemer, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Reynolds, Rott, Torrence, Wainwright, Negley—26.

Noes—Mr. Roth—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[453 S. C.] Communication from the Finance Committee, covering and recommending payment of bill of E. Y. Breck for firing salute on July 3d and 4th.

In S. C., October 9th, read and accepted.

In which action C. C. concurred.

[454 S. C.] Resolution for a warrant in favor of E. Y. Breck, Captain of Hutchinson's Battery, on account of firing salutes on July 3d and 4th, to the amount of \$190.07.

In S. C., October 9th, passed finally.

Which, the rule being suspended, was read a third time and passed finally.

[451 S. C.] Communication from the Finance Committee, covering a resolution for warrants in favor of John Weber and Evans, Zell & Co.

In S. C., October 9th, read and accepted.

In which action C. C. concurred.

[452 S. C.] Resolution for warrants in favor of Evans, Zell & Co., for \$74.85, and John Weber for \$25.50, on account of overpaid taxes.

In S. C., October 9th, passed finally.

Which, the rule being suspended, was read a third time and finally passed.

[458 S. C.] Report from the Committee on Markets for the month of September.

In S. C., October 9th, read and accepted.

In which action C. C. concurred.

[456 S. C.] Report of the Water Committee for the month of September.

In S. C., Oct. 9th, read and accepted.

In which action C. C. concurred.

[447 S. C.] Communication from the Finance Committee returning, with an affirmative recommendation, S. C. bill No. 424.

In S. C., Oct. 9th, read and accepted.

In which action C. C. concurred.

[395 S. C.] Communication from the Finance Committee returning, with an affirmative recommendation. A resolution for a warrant in favor of Robert Ellis.

In S. C., Sept. 11th, read and accepted.

In which action C. C. concurred.

[455 S. C.] Report from the Committee on City Property, for the month of September.

In S. C., Oct. 9th, read and accepted.

In which action C. C. concurred.

[439 S. C.] Petition of citizens of the 12th and 13th wards urging the erection of a bridge across the tracks of the P. R. R. about Twenty-eighth street.

In S. C., referred to a special committee of two from S. C. and three from C. C.

In which action C. C. concurred, and Messrs. McClarran, Torrence and Hughes, were appointed on behalf of C. C.

Mr. Neeb presented,

[439] A resolution for a warrant in favor of the Security Life Insurance Company for the sum of \$60.95 for refunding of overpaid taxes.

Referred to the Finance Committee.

The Chair appointed Mr. Dickson to the Committee on City Printing, *vice* W. F. Aull, resigned.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, NOVEMBER 13, 1876.

No. 27.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, November 13, 1876.

Council met.

Present—Messrs. Aiken, Barclay, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Dannals, Darlington (H.), Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Foster, Fox (Gregor), Geiger, Gourley, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murrav, McCandless, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), O'Neill (John), Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Shipton, Stoufft, Sorg, Taylor, Vierheller, Welsh.

Absent—Messrs. Ahl, Atkinson, Bates, Brown (S. S.), Carr, Darlington (B.), Dietrich, Felker, Fox (Geo.), Froehlich, Lappan, MacConnell, Negley, Nusser, Perry, Rolfe, Sawyer, Waring Weldon, Gross, Pres't.

In the absence of the President, Mr. Aiken was elected President pro tem.

The minutes of the last meeting were read and approved.

Mr. Littell moved,

To suspend the orders of the day to allow the consideration of the unfinished business on the table.

Which motion prevailed.

[C. C. bill No. 382] Entitled "An Ordinance locating Reservoir avenue."

Reported affirmatively from the Road Committee, October 30th.

Which was read,

And the rule being suspended, the bill was read a second and third time.

And on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Denniston, Duff (C. P.), Evans, Foster, Fox (Gregor), Geiger, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Ray, Schild, Schwarm, Shipton, Stoufft, Taylor, Vierheller, Welsh—42.

Noes—None.

And a majority of the votes of Select Council being in the affirmative the bill passed finally.

[C. C. bill No 320] Entitled "An Ordinance establishing the grade of Homewood avenue."

October 30th, failed to pass for the want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Dannals, Denniston, Duff (C. P.), Evans, Fox (Gregor), Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murrav, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Ray, Schild, Schwarm, Shipton, Stoufft, Taylor, Vierheller—40.

Noes—Mr. Welsh—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 448] An Ordinance entitled "An Ordinance authorizing the issuing of five per cent. bonds to be exchanged for four per cent. bonds, known as the 'Railroad Compromise Bonds.'"

October 16th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (R. B.), Brown (L. T.), Darlington (H.), Denniston, Duff (C. P.), Epping, Evans, Foster, Fox (Gregor), Goldthorp, Hayden, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, O'Neill (E. M.), Ray, Schwarm, Shipton, Taylor, Vierheller, Welsh—29.

Noes—Messrs. Barclay, Dannals, Duff (J. K. P.) Geiger, Miller, McGimpsey, Reiman, Schild, Stoufft—9.

And a majority of the votes of Select Council not being in the affirmative the bill did not pass.

Mr. Herron, under the rule, called up.

[S. C. bill No. 448] Entitled "An Ordinance authorizing the issuing of five per cent. bonds, to be exchanged for four per cent. bonds, known as the 'Railroad Compromise Bonds.'"

Failed to pass this day for the want of a legal majority.

Mr. Herron moved

To postpone action on the bill until next meeting.

On which question a division was had and there were nineteen ayes and twenty-three noes.

So the motion did not prevail.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (R. B.), Brown (L. T.), Darlington (H.), Denniston, Duff (C. P.), Evans, Foster, Geiger, Goldthorp, Hayden, Herron, Hunter, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McKinley, O'Neill (E. M.), Powers, Ray, Schild, Schwarm, Shipton, Taylor, Welsh—33.

Noes—Messrs. Barclay, Dannals, Fox (Gregor), Jeremy, McGimpsey, Reiman, Stoufft, Sorg, Vierheller—9.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

[C. C. bill No. 125] Entitled "An Ordinance authorizing the construction of a boardwalk on Morningside avenue from bridge at McKelvy & McMahon's refinery on Butler street, to present boardwalk on Morningside avenue."

May 29th, referred to the Board of Viewers.

And,

[486] Report of Board of Viewers of Street Improvements on C. C. bill No. 125, the Ordinance for the construction of a boardwalk on Morningside avenue.

Which was read and accepted.

And the bill was read.

Mr. **Shipton** moved

To amend the bill by adding "the contractor shall take the assessment made by the Viewers, and himself collect the cost of construction from the parties there assessed."

Mr. **Bruce**,

Rose to a point of order that the amendment was in conflict with the law, and was therefore not in order.

The **President** ruled,

That the point was well taken and the amendment was therefore ruled out of order.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barckley, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Dannals, Darlington (H.), Duff (C. P.), Duff (J. K. P.), Evans, Geiger, Gourley, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), Powers, Ray, Rodgers, Schild, Schwarm, Stouffit, Sorg, Vierheller, Welsh—41.

Noes—Messrs. Fox (Gregor) and Taylor—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 428] Entitled "An Ordinance amending the city code, title Markets."

October 30th, failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Brown (R. B.), Brown (L. T.), Bruce, Darlington (H.), Duff (C. P.), Duff (J. K. P.), Epping, Evans, Foster, Fox (Gregor), Geiger, Gourley, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), Powers, Reiman, Rodgers, Schild, Shipton, Stouffit, Sorg, Taylor, Vierheller, Welsh—40.

Noes—Mr. Barckley—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 445] Entitled "An Ordinance granting Charles Preller the right to erect a frame building."

October 30th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barckley, Brown (R. B.), Brown (L. T.), Bruce, Dannals, Darlington (H.), Duff (C. P.), Duff (J. K. P.), Epping, Foster, Fox (Gregor), Geiger, Gourley, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Shipton, Stouffit, Sorg, Taylor, Vierheller, Welsh—44.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[487] Report from the Board of Viewers on S. C. bill 286, An Ordinance for the construction of a sewer in Soho run from Fifth avenue to Forbes street.

Which was read and accepted.

[S. C. bill No. 286] Entitled "An Ordinance authorizing the construction of a sewer on Soho run from culvert under Fifth avenue, to culvert under Forbes street."

October 30th, failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law and were:

Ayes—Messrs. Aiken, Barckley, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Dannals, Darlington (H.), Duff (C. P.), Epping, Evans, Foster, Fox (Gregor), Geiger, Gourley, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Sorg, Taylor, Welsh—42.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. bill No. 355] Entitled "An Ordinance establishing the grade of center line of Ridge street from Thirty-third to Craig streets."

Which was read,

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barckley, Brown (R. B.), Brown (L. T.), Bruce, Darlington (H.), Duff (C. P.), Duff (J. K. P.), Evans, Foster, Fox (Gregor), Geiger, Gourley, Goldthorp, Hayden, Herron, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Ray, Reiman, Rodgers, Schild, Schwarm, Sorg, Taylor, Vierheller, Welsh—41.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Hunter**, by leave, presented the following.

[488] Resolved, That the Controller be and he is hereby authorized to issue his certificates on the Mayor for warrants in payment of the necessary running expenses of the Board of Health for the months of October, November and December, 1876, provided the same shall not exceed the sum of four thousand dollars, and charge the same to appropriations having an unexpended balance on the first day of January, 1877.

Which, the rule having been suspended, was read a third time and finally passed.

[S. C. bill No. 112] Entitled "An Ordinance granting the use of certain streets to the Pittsburgh and South Side Passenger Railway Company."

October 17th, read once and amended, was read a second time.

Mr. **Darlington (H.)** moved

To amend the seventh paragraph, Section second, by striking out the words, "five cents for each passenger," and inserting the words, "those now charged for passengers by the Citizens Passenger Railway Company."

Which motion prevailed.

And the bill was so amended.

Mr. **Powers** moved

To postpone action on the bill until the next regular meeting.

Which motion prevailed.

Mr. **Shipton**, by leave, presented the following.

[489] Resolved, That this Council meet on Monday, the 20th inst., and each succeeding Monday thereafter, until all the unfinished business of this and the Common Council is disposed of, and that

said unfinished business, shall be made the special order, at each of said meetings.

Which was read and passed.

Mr. **Holliday** presented

[490] An Ordinance revoking and repealing so much of a plan for the location of Sycamore street, approved, 14th day of July, 1873, as locates said street between Spruce street and Mattern street. Which was referred to the Survey Committee.

Mr. **Bruce**,

[491] A resolution for the payment of the Viewers appointed by Court for the assessment of the cost of construction of the bridge over Four Mile Run, on the line of Sylvan avenue.

Which was referred to the Finance Committee.

Mr. **Hunter**,

[492] Petition of Hiram Duke for the exoneration of over assessed tax on property in the 23d ward.

Which was referred to the Committee on Appeals.

Mr. **Buckley**,

[493] An Ordinance establishing as a public wharf, that portion of Main street bordering on the Ohio river.

Which was referred to the Committee on Mohongahela Wharf.

Mr. **Evans**,

[494] A petition for the erection of two public gas lamps on Lytle street, 23d ward.

Which was referred to the Committee on Gas Lighting.

Also,

[495] A petition for the location of a street or road between Hazelwood avenue and the Squirrel Hill road, between the property of J. O. Flowers, Mrs. Wm. McClure, and Lytle's heirs, and property of Magnus Pfaltum and G. K. Flower.

Which was referred to the Survey Committee.

Mr. **Duff**,

[496] Resolution for the erection of fire plugs on Bedford avenue, at the corners of Erin and Kirkpatrick streets.

Which was referred to the Fire Commission.

Also,

[497] A resolution for the drafting of an Ordinance providing for the creation of a fund for the payment of the expenses of police officers when in pursuit of criminals.

Which was referred to the Ordinance Committee.

Mr. **Schwarm**,

[498] Petition of Gustave Mittkowsky for exoneration from taxes assessed on property in the 31st ward.

Which was referred to the Committee on Appeals.

On motion Councils adjourned.

Attest F. D. Wagoner

COMMON COUNCIL.

W. B. NUGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, November 13, 1876.

Council met.

Present—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kirchner, Lerner, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Wainwright, President Negley.

Absent—Messrs. Boucher, Clark, Coll, Conway, Fritz, Foley, Hagan, Hogle, Kettenberg, Laughran, Powers, Robeson, Torrence, Voskamp.

Mr. **Atcheson** moved

That the reading of the minutes be dispensed with.

Which, on call for a division, prevailed by a vote of ayes, thirteen; noes, three.

Mr. **Neeb** presented

[No. 440] An Ordinance changing the place of holding elections in the First district, Third ward. Referred to Committee on Ordinances.

Also,

[441] Resolution for crossing on Seventh avenue, east side of Smithfield street.

Referred to Committee on Streets.

Mr. **Atcheson**,

[442] Petition of Alex. McClure & Co., for privilege to erect an iron clad building. Referred to Committee on Wooden Buildings.

Also,

[443] Petition of James Philips for refunding of overpaid tax, 13th ward.

Referred to Committee on Appeals.

Mr. **Thomson**,

[444] Petition of the Walter sisters for reduction of assessment of business tax.

Referred to Committee on Finance.

Mr. **Fennerty**,

[445] An Ordinance authorizing the assessment of the damages and benefits caused by the change of grade on Thirty-third street from Penn avenue to Penn'a. R. R.

Referred to Committee on Streets.

Mr. **Rahausser**,

[446] Petition of James P. Flynn for exoneration from payment of tax for the improvement of Barry street, 27th ward.

Referred to Committee on Finance.

Mr. **Thomson**,

[447] A report from the Committee on Streets covering a statement of their expenditures for the month of October, as follows:

First District Street Commissioner	\$1958 22
Second " " "	1831 14
Third " " "	1279 81
Fifth " " "	796 19
Sixth " " "	904 74
Seventh " " "	677 91
Engineer's Department	887 89
Board of Viewers	493 00

Total.....\$8828 90

Which was read and received.

Also,

[448] An Ordinance authorizing the opening of Woodville avenue extension, from Washington plke to Shalersville, 35th ward.

Referred to Committee on Streets.

Also,

[449] An Ordinance authorizing the construction of a boardwalk on Manor street, from tunnel under P., V. & C. Railway to P., V. & C. Railway crossing.

Referred to Committee on Streets.

Also, from the Committee on Streets,

[342 C. C.] Petition for the regrading and repaving of Thirty-fourth street, from Liberty street to Liberty avenue.

Which was referred to the Board of Viewers.

Also from the Street Committee affirmatively recommended,

[402 C. C.] Entitled "An Ordinance establishing the grade of Bluff street, from Pride street to Stevenson street."

Which was read.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kirchner, Lerner, Mears, Moore, McClarren, Nantker, Neeb, Rahausser, Reynolds, Roth, Rott, Thomson, Wainwright, Negley—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.
Also, from the Street Committee, affirmatively recommended.

[459 S. C.] Entitled "An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R."

Referred to the Board of Viewers.

Also, from the Committee on Streets, affirmatively recommended.

[458 S. C.] Entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Sarah street from Thirtieth street to the city line."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Hahn, Kirchner, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Wainwright, Negley—22.

Noes—Messrs. Hughes, Lemer—2.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended.

[404 C. C.] Entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Locust street, from Shingiss street to Miltenberger street."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended.

[403 C. C.] Entitled "An Ordinance repealing an Ordinance, entitled 'An Ordinance authorizing the opening of Sycamore street, from Washington street to Mattern street,' passed November 22d, 1875."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Thomson, Wainwright, Negley—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended.

[400 C. C.] Entitled "An Ordinance establishing the grade of Fort street."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler,

Flinn, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Wainwright, Negley—26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also from the Committee on Streets, affirmatively recommended.

[292 S. C.] Entitled "An Ordinance authorizing the opening of Reed street from Overhill street to Dinwiddie street."

Which was read.

And the rules being suspended the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thomson, Wainwright, Negley—26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Rahausser** presented

[450.] A Report from the Committee on Surveys, covering a statement of their expenditures for the month of October, amounting \$731.00.

Which was read and received.

Also from the Committee on Surveys, affirmatively recommended.

[271 C. C.] Entitled "An Ordinance locating Fetzer street, from Bertha street to Kirkpatrick street."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Dauler, Flinn, Fox, Fennerty, Ferson, Hahn, Helmsold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Thompson, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Fox** (by leave) presented

[451.] Entitled "An Ordinance granting Elizabeth McConaghey the privilege to erect a frame addition to her building on Butler street, 15th ward."

Referred to Committee on Wooden Buildings.

Also,

[452.] Petition to grant to Elizabeth McConaghey the privilege of erecting a frame building.

Referred to Committee on Wooden Buildings.

Also,

[453.] Petition of Jane McCoy for refunding of overpaid taxes, 5th ward.

Referred to Committee on Appeals.

Mr. **Dauler** (by leave) called up C. C. No. 432—Report of the Viewers of Street Improvements on the damages and benefits caused by the grading of Madison street from Fifth Avenue to Forbes street.

In C. C. October 30th. Laid on the table.

Which was approved.

BUSINESS FROM SELECT COUNCIL.

[444 S. C.] Resolution for the appointment of a Special Committee to examine and report on the amount already expended on the improvement of Soho street, the present state of the improvement, and the approximate amount necessary to complete the street.

In S. C. October 9th passed, and Messrs Powers and Evans appointed on part of S. C.

Which was read and passed, and Messrs. Neeb, Nisbet and Dauler appointed on part of C. C.

[349 S. C.] Entitled "An Ordinance authori-

zing the paving and curbing of Bluff street from west side of Marion street to Shingiss street.

In C. C. September 25th, 1876 passed finally.

In S. C., October 30th, amended by striking out "Milteneberger street" and inserting "Marion street," and as amended passed.

Which was read.

Mr. **Helmold** called up the remonstrance against the same, which was presented and referred to the Street Committee, September 11th, 1876.

Which was read.

Mr. **Reynolds** moved to lay the bill on the table. Which, on division of the vote, did not prevail.

Ayes, 11; noes, 1.

Mr. **Thomson** moved to refer the bill to the Street Committee.

Which prevailed.

Mr. **Fox** presented

[454] A report from the Committee on Police, covering a statement of their expenditures for the month of October, amounting to \$ 6,988 67.

Read and received.

Also,

[455] A report from the Committee on Printing, covering a statement of expenditures for the month of October, amounting to \$505.20, and award of contract for printing Rules of Council, to the Herald Printing Company at \$11.50.

Which was read, received and approved.

Mr. **Thomson**,

[456] Resolution for a warrant in favor of Wettengel and Gormley for the sum of \$1,914.11 in payment of claim for grading and paving Alexander street, 36th ward.

Referred to Committee on Finance.

[433 C. C.] Report of the Viewers of Street Improvements on the Construction of a Bridge on Sylvan avenue extension, across Watson's Hollow.

In C. C., October 30th, action postponed until next meeting.

Which was approved.

[424 S. C.] Entitled "An Ordinance amending section six of an Ordinance entitled 'An Ordinance to provide for the safe keeping and custody of the funds of the city,'" passed 7th February, 1870.

In S. C., October 16th, passed finally.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Flinn, Fennerty, Ferson, Hahn, Helmold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Roth, Rott, Thomson, Wainwright, Negley—25

Noes—Mr. Reynolds—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[363 S. C.] Entitled "An Ordinance prohibiting the use of steam whistles in the city of Pittsburgh."

In S. C., October 30th, passed finally.

Which was read.

Mr. **Neeb** moved

To indefinitely postpone further action.

Mr. **Fennerty** demanded a division of the vote, and a division being had, there were: ayes, 13; noes, 10.

So the motion prevailed.

[17 S. C.] Entitled "An Ordinance authorizing the opening of Station street, from Frankstown avenue to the Pennsylvania Railroad."

In S. C., October 30th, passed finally.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Dickson, Flinn, Fennerty, Ferson, Hahn, Helmold, Hughes, Kerr, Kirchner, Lemer, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Reynolds, Roth, Thomson, Wainwright, Negley—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[477 S. C.] Report from the Committee on Gas lighting, covering their expenditures for the month of October.

In S. C., October 30th, read and accepted.

In which action C. C. concurred.

[479 S. C.] Report from the Committee on Roads, for the month of September.

In S. C., October 30th, read and accepted.

In which action C. C. concurred.

[470 S. C.] Resolution authorizing the erection of public weigh scales on Lincoln avenue, 21st ward.

In S. C., October 30th, passed finally.

Which was read.

Mr. **Nisbet** moved

To indefinitely postpone further action.

Which prevailed.

[476 S. C.] Resolution requesting the Mayor to withhold his proclamation for a special election in the 30th ward, for member of Select Council, *vice* W. F. McCombs.

In S. C., October 30th, passed finally.

In which action C. C. concurred.

[478 S. C.] Resolution for the erection of public lamps on Liberty street.

In S. C., October 30th, passed finally.

Which, the rule being suspended, was read three times and passed.

Mr. **Rahausser** presented

[457] An Ordinance locating Chestnut street, South Side.

Referred to Committee on Surveys.

Mr. **Kerr** presented

[458] Petition of W. D. Pownall, for abatement of business tax.

Referred to the Committee on Finance.

The Chair appointed W. W. Thomson to the Committee of Conference on S. C. bill, No. 87, *vice* W. F. Aull, resigned.

Adjourned.

SELECT COUNCIL.

PITTSBURGH, November 20th, 1876.

Council met.

Present—Messrs Aiken, Bates, Brown (R. B.), Brown (L. T.), Carr, Dannels, Darlington (B.), Darlington (H.), Foster, Fox (Geo.), Geiger, Herron, Holliday, Hunter, Kennedy, Kerr, Lagerman, Littell, Moore, Murray, McCandless, McKinley, O'Neill (E. M.), O'Neill (John), Powers, Rodgers, Schild, Schwarm, Shipton, Sorg, Taylor, Vierheller, Weldon, Welsh.

Absent—Messrs. Ahl, Atkinson, Barclay, Brown (S. S.), Bruce, Buckley, Denniston, Deitrich, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Falter, Fox (Gregor), Froehlich, Gourley, Goldthorp, Hayden, Jeremy, Kernan, Lappan, Meyer, Miller, MacConnell, McClurg, McGimpsey, Negley, Nusser, Perry, Ray, Reman, Rolfe, Sawyer, Stouff, Waring and President Gross.

And there being no quorum, Council adjourned.

attest

E. D. MORROW

CLK

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, NOVEMBER 27, 1876.

No. 28.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, November 27, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Bryce, Buckley, Dannels, Darlington (B.), Darlington (H.), Dietrich, Duff (C. P.), Evans, Felker, Fox (George), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Moore, Murray, MacConnell, McCandless, McClurg, McGimpsey, McKinley, Negley, Nusser, O'Neill (E. M.), O'Neil (John), Powers, Keiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Taylor, Vierheller, Weldon, Welsh.

Absent—Messrs. Brown (S. S.), Carr, Denniston, Duff (J. K. P.), Epping, Foster, Herron, Miller, Perry, Ray, Rolfe, Sawyer, Stouff, Waring and President Gross.

In the absence of the President, Mr. Aiken was chosen President pro tem.

The minutes of the meetings of November 13th and 20th were read and approved.

The President presented,

[799.] A communication from the Board of Guardians of the Poor, announcing the resignation of John M. Osborne, as a member of that Board.

Which was read and accepted.

Mr. Jeremy moved

That Council proceed to the election of a member of said Board for the unexpired term of John M. Osborne.

Mr. Holliday moved

To postpone the election until the next regular meeting.

Which did not prevail.

And the motion to proceed to an election was decided in the affirmative.

Whereupon Council proceeded to said election.

And Mr. (R. B.) Brown nominated John H. McMaster.

And the result of the voting was as follows:

For John H. McMaster,
Messrs. Ahl, Aiken, Barclay, Bates, Brown (R. B.), Buckley, Dannels, Darlington (B.), Duff (C. P.), Felker, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neill (E. M.),

O'Neil (John), Rodgers, Schild, Schwarm, Shipton, Taylor, Vierheller, Weldon, Welsh—43

And John H. McMaster having received a majority of the votes of Select Council, was declared duly elected a member of said Board in the stead of and for the unexpired term of John M. Osborne, resigned

Mr. Littell moved

To suspend the order of the day to allow the consideration of the unfinished business on the table.

Which motion prevailed.

Whereupon Council proceeded to the consideration of the unfinished business.

[C. C. bill No. 321] An Ordinance entitled "An Ordinance fixing the grade of Sylvan avenue extension."

S. C. October 9th, referred to Viewers.

Mr. Evans moved

The indefinite postponement of action on the bill.

Which motion prevailed.

[C. C. bill No. 181] An Ordinance entitled "An Ordinance authorizing the opening of Osage Lane from Penn avenue to line of property of heirs of Stacy Lloyd."

S. C. September 11th, failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barclay, Bates, Dannels, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Felker, Fox (Geo.), Froehlich, Geiger, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Murray, MacConnell, McCandless, McClurg, McKinley, Nusser, O'Neill (E. M.), Powers, Rodgers, Schild, Schwarm, Shipton, Taylor, Vierheller, Weldon, Welsh—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. bill No. 129] An Ordinance entitled "An Ordinance authorizing the opening of Exchange alley from Barker's alley to Seventh street."

S. C. September 11th, failed for want of a legal majority.

Mr. Weldon moved

To postpone action.

Which did not prevail.

[C. C. No. 214] Report of Board of Viewers on the Ordinance for the opening of Exchange alley, (C. C. bill No. 129).

Which was read and accepted.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Buckley, Dannels, Darlington (H.), Duff (C. P.), Evans, Felker, Fox (Geo.), Froehlich, Geiger, Goldthorp, Hayden, Holliday, Hunter, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, McClurg, McKinley, McGimpsey, Nusser, O'Neill (E. M.), O'Neil (John), Rodgers, Schild, Schwarm, Shipton, Taylor, Vierheller, Welsh—41.

Noes—Messrs. Fox (Gregor), Weldon—2
And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 268] An Ordinance entitled "An Ordinance locating Houck street."

Select Council October 9th, failed for want of a legal majority.

And on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Brown (L. T.), Buckley, Dannals, Duff (C. P.), Evans, Felker, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Hayden, Hunter, Jeremy, Kernan, Kerr, Lagerman, Littell, Meyer, Murray, MacConnell, McClurg, McGimpsey, McKinley, O'Neill (E. M.), O'Neill (John), Rodgers, Schild, Taylor, Vierheller, Weldon, Welsh—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 334] An Ordinance entitled "An Ordinance prohibiting the use of awning flaps."

S. C. September 26th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barclay, Bates, Dannals, Darlington (H.), Duff (C. P.), Evans, Felker, Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Hunter, Jeremy, Kernan, Lappan, Littell, Meyer, Moore, Murray, McClurg, McGimpsey, McKinley, Nusser, O'Neill (E. M.), Schild, Schwarm, Shipton, Vierheller—31.

Noes—Messrs. Brown (L. T.), Buckley, Fox (Geo.), Hayden, Lagerman, MacConnell, O'Neill (John), Taylor, Welsh—9.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

[S. C. bill No. 333] An Ordinance entitled "An Ordinance amending City Code, title signs and signboards, page 262."

S. C. September 25, failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Barclay, Bates, Brown (R. B.), Dannals, Darlington (H.), Duff (C. P.), Evans, Felker, Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Hayden, Hunter, Jeremy, Kernan, Lagerman, Littell, Meyer, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Vierheller, Weldon, Welsh—38.

Noes—Messrs. Brown (L. T.), O'Neill (John)—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 448] An Ordinance entitled "An Ordinance authorizing the issuing of five per cent. bonds, to be exchanged for four per cent. bonds known as the 'Railroad Compromise Bonds.'"

In S. C. November 13, failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Aiken, Duff (C. P.), Goldthorp, Holliday, Hunter, Kerr, Lappan, Littell, Meyer, Murray, McClurg, Powers, Shipton, Taylor—14.

Noes—Messrs. Barclay, Bates, Brown (L. T.), Buckley, Dannals, Darlington (H.), Evans, Felker, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Hayden, Jeremy, Kennedy, Kernan, Lagerman, Moore, MacConnell, McGimpsey, McKinley, Nusser, O'Neill (E. M.), O'Neill (John), Reiman, Schild, Schwarm, Vierheller, Weldon, Welsh—31.

And a majority of the votes of Select Council being in the negative, the bill was rejected.

[S. C. bill No. 460.] An Ordinance entitled

"An Ordinance regulating travel at and approaching street crossings."

Select Council October 30, failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Bates, Brown (L. T.), Darlington (H.), Duff (C. P.), Evans, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Hayden, Holliday, Hunter, Jeremy, Kernan, Kerr, Lagerman, Meyer, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neill (E. M.), Powers, Reiman, Rodgers, Schwarm, Shipton, Taylor, Weldon—36.

Noes—Messrs. Ahl, Atkinson, Dannals, Felker, Kennedy, Lappan, Littell, Schild, Vierheller, Welsh—10.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

[S. C. bill No. 112] An Ordinance entitled "An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company."

In Select Council November 13, amended, and action postponed.

Mr. O'Neill (E. M.) moved

To amend section second, paragraph seventh, by adding the following proviso: Provided, however, that children under twelve years of age shall be carried at half fare.

Mr. Rodgers presented,

[500] A petition from the citizens of the wards lying along the proposed route, asking for the passage of the Ordinance without reference to the fare charged by the company.

Which was read and accepted.

And on the motion to amend, a division was had, and there were twenty-three ayes and twenty-one noes, so the motion prevailed.

Mr. Darlington (H.) moved

To postpone action on the bill indefinitely.

On which motion a division was had, and there were five ayes and thirty-one noes, so the motion did not prevail.

Mr. MacConnell moved

To make the consideration of the bill the special order of the day at next meeting.

Which did not prevail.

Mr. Kerr moved

To reconsider action on the vote adopting the amendment.

Which motion prevailed.

And the question recurring on the adoption of the amendment a division was had, and there were eighteen ayes and twenty-five noes, so the motion did not prevail.

Mr. Hunter moved

To postpone action.

Which motion did not prevail.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Barclay, Bates, Brown (L. T.), Bruce, Dannals, Darlington (B.), Darlington (H.), Duff (C. P.), Evans, Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Holliday, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (John), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Taylor, Vierheller, Weldon, Welsh—43.

Noes—Messrs. Ahl, Buckley, Fox (George), Hayden, Lappan, Nusser, O'Neill (E. M.)—7.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. No. 301] Report of the Viewers on the grading of Harrison street, from Fiftieth street to Fifty-second street.

Which was read and received.

[S. C. bill No. 217] An Ordinance entitled

"An Ordinance authorizing the grading of Harrison street from Fifth street to Fifty-second street."

S. C. July 10th, action postponed.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barkley, Bates, Brown (L. T.), Bruce, Buckley, Dannals, Duff (C. P.), Evans, Froelich, Geiger, Gourley, Goldthorp, Hayden, Hunter, Jeremy, Kernan, Kerr, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, MacConnell, McClurg, McKinley, Nusser, O'Neill (E. M.), O'Neil (John), Powers, Reiman, Schild, Schwarm, Shipton, Sorg and Weldon—38.

Noes—Mr. Taylor—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. MacConnell, by leave, presented from the Road Committee affirmatively,

[C. C. Bill No. 423.] An ordinance, entitled "An Ordinance authorizing the Road Committee to enter into a contract with the Pittsburgh Gas Company and directing the change of grade therein provided for."

Which was read.

Mr. H. Darlington moved

To amend the bill by inserting a clause in the contract providing that the Gas Company shall station a watchman to signal the approach of trains which did not prevail.

And the rule being suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barkley, Bates Brown (L. T.), Dannals, Darlington (H.), Darlington (H.), Duff (C. P.), Evans, Fox (George), Froelich, Geiger, Gourley, Goldthorp, Hayden, Hunter, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McKinley, O'Neill (E. M.), Schild, Schwarm, Shipton, Sorg, Taylor, Weldon—36.

Noes—Messrs. Bruce, Lappan, McClurg, Powers, Reiman—5.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

[S. C. bill No. 190.] An Ordinance entitled "An Ordinance relative to the collection of fines and forfeitures."

September 25th, referred to the City Attorney and returned with an affirmative recommendation.

Which was read a second time.

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (L. T.), Bruce, Buckley, Dannals, Darlington (H.), Duff (C. P.), Evans, Fox (George), Geiger, Gourley, Goldthorp, Hayden, Hunter, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McKinley, O'Neill (E. M.), O'Neil (John), Reiman, Rodgers, Schwarm, Shipton, Sorg, Taylor, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. No. 396.] A resolution for a warrant in favor of Robert Ellis for amount due for the grading and paving of Forty-second street.

In S. C. September 11th, failed to pass for want of a legal majority.

And on the question of the final passage of the resolution a division was had and there were seventeen ayes and twenty-seven noes, so the motion did not prevail.

Mr. E. M. O'Neill, by leave, presented

[501.] A communication from the Chief Engineer of the Fire Department, inviting Councils to take part in the review of the Fire Department on Thursday, November 30th at three o'clock.

Which was read and accepted.

Also, by leave,

[502.] Resolved, That the invitation to review the parade of the Fire Department, on Thanksgiving Day, be accepted.

Which was read and passed.

[C. C. No. 464.] An Ordinance fixing the salary of the message clerk and chief page of Councils. In C. C. referred to a Special Committee of two from S. C. and three from C. C.

In which action S. C. concur and Messrs. Kerr and L. T. Brown were appointed.

[C. C. No. 319.] Viewers report on the Ordinance for opening Knox avenue.

Which was read and received.

[C. C. Bill No. 182.] An Ordinance entitled "An Ordinance authorizing the opening of Knox avenue from Brownsville road to city line."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Bruce, Buckley, Dannals, Darlington (H.), Duff (C. P.), Evans, Fox (George), Geiger, Goldthorp, Hayden, Hunter, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McKinley, O'Neill (E. M.), O'Neil (John), Rodgers, Schwarm, Shipton, Sorg, Taylor, Weldon—34.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

Mr. Sorg presented.

[503.] An Ordinance granting Alexander McClure & Co. right to erect an iron clad shed.

Which was referred to the Committee on Wooden Buildings.

Mr. McClurg,

[504.] An Ordinance authorizing the opening of Mary street from Twenty-eighth to Thirty-second street.

Which was referred to the Committee on Streets.

Mr. Taylor,

[505.] A petition for the erection of gas lamps on Hatfield street, between Forty-fifth and Forty-seventh streets.

Which was referred to the Committee on Gas Lighting.

Also,

[506.] A petition for a street crossing at Hatfield and Forty-fifth streets.

Also,

[507.] A petition for street crossings on the south side of Butler street, at the foot of Main street.

Which were severally referred to the Committee on Streets.

Mr. Evans,

[508.] Petition of Fred Hartman for a reduction of valuation on real estate in the 23d ward.

Which was referred to the Committee on Appeals.

Mr. MacConnell,

[509.] Petition for the opening of Wayne street, between Stanton avenue and Hampton street.

Which was referred to the Committee on Roads.

Mr. Taylor,

[510.] A petition for street crossing on Forty-fifth street and Locust alley.

Which was referred to the Street Committee.

Mr. John O'Neil,

[511.] Petition of Patrick Tynan for exoneration of personal and business tax.

Which was referred to the Committee on Finance.

Mr. Buckley presented

[512] A petition of the First Reformed Presbyterian Church for reduction of taxes on property connected with the church.

Which was referred to the Committee on Appeals.
On motion adjourned.

attest E. J. Morrison

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

NOVEMBER 27, 1876.

Council met.

Present—Messrs. Coll, Conway, Dickson, Dauler, Fox, Fennerty, Hagan, Helms, Hogle, Kerr, Kettenburg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright, Negley.

Absent—Messrs. Archeson, Bell, Boucher, Clark, Flinn, Fritz Persou, Foley, Hahn, Hughes, Lemer, Robeson.

On motion of Mr. **Rott**, reading of the minutes of the previous meeting was dispensed with.

Mr. **Thomson** presented,

[459] Petition of John Huckestein and others for privilege to erect a temporary woodshed on Sixth avenue.

Referred to the Committee on Wooden Buildings.

Mr. **Dauler** presented the following:

[460] Resolved, That the Mayor be, and is hereby instructed to have the City Ordinance enforced, relating to the cleaning of paved side-walks within the city limits.

Which, the rule being suspended, was read and passed finally.

Mr. **Reynolds**,

[461] Petition of J. E. Rabenstein for payment of claim for damages done to property at Soho.

Referred to Committee on Roads.

Mr. **Fox**,

[462] Petition for flag-stone crossings at Thirty-seventh, Thirty-eighth and Thirty-ninth streets and Butler street.

Referred to Committee on Streets.

Also,

[463] Communication from the Chief Engineer of the Fire Department, inviting Council to witness review of said Department on Thanksgiving day.

Which was read and accepted.

Also,

[464] An Ordinance fixing the salary of the Messenger Clerk of Councils,

Which was read and referred to a special committee of three from Common Council and two from Select Council.

On part of C. C., Messrs. Fox, Nisbett and Neeb were appointed.

Mr. **Fennerty** presented,

[465] Petition of Joseph Wegaman for reduction of valuation.

Referred to Committee on Appeals.

Also,

[66] Petition of James Howard for reduction of taxes.

Referred to Committee on Appeals.

Also,

[467] Petition for public gas lamps, corner of Thirty-first and Railroad streets.

Referred to Committee on Gas Lighting.

Mr. **Rahausen**,

[468] Resolution for the cleaning and repairing of Sarah street, from Twenty-first to Thirtieth streets.

Referred to Committee on Streets.

Mr. **Nantker**,

[469] Resolution for flag-stone crossing, corner Carson and Fifth streets.

Referred to Committee on Streets.

Mr. **Thomson** presented,

[470] Report of the Viewers of Street Improvements on S. C. 459. Entitled "An Ordinance authorizing the opening of Forty-seventh street, from the South Side of the A. V. R. R. to the North Side of the A. V. R. R."

Which was read and received.

Also,

[459 S. C.] Entitled "An ordinance authorizing the opening of Forty-seventh street from the South Side of the A. V. R. R. to the North Side of the A. V. R. R."

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Coll, Conway, Dickson, Fox (John), Fennerty, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Rott, Thomson, Voskamp, Wainwright, Negley—26.

Noes—None.

And there being a majority of the votes of Common Council in the affirmative, the bill passed finally.

Mr. **Thomson** (by leave) called up S. C. 370, entitled "An Ordinance authorizing the grading, paving and curbing of Pride street, from Bluff street to Quince alley."

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Coll, Conway, Dickson, Fox (John), Fennerty, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Rott, Thomson, Voskamp, Wainwright—24.

Noes—Mr. Negley—1

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Rahausen** presented, recommended affirmatively by the Committee on Surveys, 457 C. C., entitled "An Ordinance locating center line of Chestnut street, from Wood street to Carson street."

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law and were:

Ayes—Messrs. Coll, Conway, Dickson, Fox (John), Fennerty, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

From the same committee, affirmatively recommended.

[220 C. C.] Entitled "An Ordinance locating Maiden lane."

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Coll, Conway, Dickson, Fox (John),

Fennerty, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Thomson** presented,

[471] A communication from the Committee on Finance, returning C. C. 415. "A resolution for a warrant in favor of Wm. Finch, Sr., with a recommendation that it be referred to the Committee on Streets."

Which was read and received, and C. C. No. 415 referred to the Committee on Streets.

Mr. **Fox**

Presented, recommended affirmatively by the Committee on Police.

[341 C. C.] Entitled "An Ordinance regulating Pawn Broking in the city of Pittsburgh."

Which was read, and the rule was suspended for the third reading and final passage of the bill.

Mr. **Neeb** moved

To amend by striking out all after the word "time," on second and third lines of Section seven.

Which prevailed.

And the section as amended was adopted.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law and were:

Ayes—Messrs. Coli, Conway, Dickson, Fox, Fennerty, Helms, Hogle, Kerr, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Thomson, Torrence, Wainwright, Negley—26.

Noes—Messrs. Dauler, Kettenberg, Voskamp—3.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

Also, from the Police Committee, recommended affirmatively.

[340 C. C.] Entitled "An Ordinance concerning Junk Shop keepers."

Which was read.

And the rule being suspended, the bill was read a third time.

Mr. **Dauler** moved,

To amend by striking out the words "old lead," in the third, ninth and eleventh lines.

Mr. **Reynolds** moved

To indefinitely postpone further action.

On which the ayes and noes were demanded by Mr. Thomson, and the demand being sustained, the call was ordered and were:

Ayes—Messrs. Coli, Conway, Dauler, Fennerty, Hagan, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nisbet, Powers, Rahausen, Reynolds, Roth, Voskamp—21.

Noes—Messrs. Dickson, Fox, Nantker, Neeb, Roth, Thomson, Torrence, Wainwright, Negley—9.

And a majority of the votes being in the affirmative, the motion to indefinitely postpone further action, prevailed.

Also, from the same committee, affirmatively recommended.

[339 C. C.] Entitled "An Ordinance relative to liquor saloons, beer saloons, and places of public resort."

Which was read.

Mr. **Kerr** moved

That the bill be referred back to Committee on Police.

Which motion prevailed.

Mr. **Fennerty** presented from the Committee on Appeals, affirmatively recommended.

[472] Resolved, That the Controller be and he is hereby authorized and directed to issue his certificates on the Mayor, for warrants in favor of the following named parties, and charge the same to the Contingent Fund.

Margaret Anderson,	34th ward.....	\$14 00
Patrick Keefe's heirs,	8th ward.....	42 00
Jane McCoy,	5th ward.....	14 30
James Phillips,	13th ward.....	6 06
Thos. S. O'Neil,	5th ward.....	21 00
Philip Menges,	7th ward.....	4 40
Chas. Peacock,	36th ward.....	1 47

For refunding of overpaid taxes.

Which, the rule being suspended, was read three times and finally passed.

Mr. **Neeb** (by leave) called up.

[S. C. 431] Entitled "Resolution for the erection of gas lamps by the East End Gas Company."

In S. C. September 25th, 1876, passed finally.

In C. C. October 30th, failed for want of required two-fifths vote.

Which, was read and the rule being suspended, was passed finally.

BUSINESS FROM SELECT COUNCIL.

[428 S. C.] An Ordinance amending the City Code, Title "Markets."

In S. C. November 13th, 1876, passed finally.

Which was read,

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Dauler, Fox, Fennerty, Hagan, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Powers, Rahausen, Reynolds, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

[445 S. C.] Entitled "An Ordinance granting Charles Preller the right to erect a frame building."

In S. C. November 13th, 1876, passed finally.

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Fox, Fennerty, Hagan, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Rahausen, Reynolds, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

[286 S. C.] Entitled "An Ordinance authorizing the construction of a sewer on Soho Run, from culvert, under Fifth avenue to culvert under Forbes street."

In S. C. November 13th, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dauler, Fennerty, Hagan, Helms, Hogle, Kerr, Kettenberg, Kirchner, Laughran, Mears, Moore, McCafferty, Nantker, Neeb, Nisbet, Rahausen, Reynolds, Thomson, Torrence, Voskamp, Negley—22.

Noes—Messrs. Dickson, Fox, McClarren, Roth, Wainwright—5.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also,

[382 C. C.] Entitled "An Ordinance locating Reservoir avenue".

In S. C. November 13th, 1876, passed finally.

Which was read.

And the rule being surpended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Dauler, Fox, Fennerty, Hagan, Helmold, Hogle, Kettenberg, Kirchner, Laughran, Mears, Moore, McClarren, McCafferty, Nantker, Neeb, Nisbet, Rahauer, Reynolds, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright, Negley—27.

Noes—None.

And a majority of the votes of Common Council being in the affirmative the bill passed finally.

[413 S. C.] Communication from the Board of Health reporting the exhaustion of the appropriation for that department.

Which was read.

[483 S. C.] Resolution authorizing the Controller to issue his certificates for warrants for the running expenses of the Board of Health, for the months of October, November and December, and charge the same to appropriations having an unexpended balance on the first day of January, 1877.

In S. C. November 13th, 1876, passed finally.

Which the rule being suspended, was read three times and finally passed.

Mr. Fox pre-ented,

[473] Petition for the suppression of "Lady Waiter Saloons."

Referred to Committee on Police.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, DECEMBER 4, 1876.

No. 29.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 4, 1876

Council met.

Present—Messrs. Ahl, Aiken, Bates, Brown (R. B.), Brown (L. T.), Bruce, Dannals, Darlington (H.), Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Foster, Fox (Gregor), Froehlich, Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Lagerman, Lappan, Littell, Meyer, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), O'Neill (John), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Weldon.

Absent—Messrs. Atkinson, Barckley, Brown (S. S.), Buckley, Carr, Darlington (B.), Dietrich, Doyle, Evans, Felker, Fox (Gregor), Gourley, Goldthorp, Kernan, Kerr, Miller, Negley, Nusser, Perry, Ray, Rolfe, Sawyer, Stouffit, Taylor, Welsh and President Gross.

In the absence of the President, Mr. Aiken was chosen President pro tem.

Mr. **McCandless**, by leave, presented

[512] A report from the Water Committee announcing the award of contract for check valves and branch pipe for new Water Works.

Which was read and approved.

Council proceeded to the order of the day, the consideration of the unfinished business on the table.

[C. C. No. 436.] A resolution authorizing the issuing of warrants for the refunding of overpaid taxes.

Which, the rule being suspended, was read three times and passed.

[C. C. No. 435.] A resolution directing the City Treasurer to allow certain exonerations of taxes.

Which, the rule being suspended, was read three times and passed.

[C. C. Bill No. 15.] An Ordinance entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Liberty avenue from Thirty-third street to Center avenue."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (R. B.), Brown (L. T.), Bruce, Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Foster, Fox (George), Geiger, Hayden,

Holliday, Hunter, Jeremy, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), O'Neill (John), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. Bill No. 400.] An Ordinance entitled "An Ordinance establishing the grade of Front street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (R. B.), Brown (L. T.), Bruce, Denniston, Duff (C. P.), Duff (J. K. P.), Epping, Foster, Fox (George), Geiger, Hayden, Holliday, Hunter, Jeremy, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), O'Neill (John), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. Bill No. 182.] An Ordinance entitled "An Ordinance authorizing the opening of Knox avenue, from Brownsville road to city line."

S. C. Nov. 27. Failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (L. T.), Bruce, Darlington (H.), Denniston, Duff (C. P.), Duff (J. K. P.), Foster, Fox (George), Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), O'Neill (John), Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Waring, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. Bill No. 354.] An Ordinance entitled "An Ordinance changing the width of Sylvan avenue extension."

Mr. **John O'Neill**, moved

That action be indefinitely postponed on the bill.

Which did not prevail.

And the bill was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (L. T.), Duff (C. P.), Geiger, Holliday, Hunter, Jeremy, Lagerman, Lappan, Littell, Meyer, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), Rodgers, Schild, Schwarm, Shipton, Vierheller, Waring, Weldon—26.

Noes—Messrs. Bruce, Darlington (H.), Denniston, Duff (J. K. P.), Epping, Foster, Fox (George), Hayden, O'Neil (John), Powers, Reiman, Sorg—12.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass.

[C. C. No. 252.] Report of the Board of Viewers on the damages caused by the opening of Forbes street, from Boyd street to Ross street.

Mr. **Bruce** moved

That action be indefinitely postponed.

On which motion a division was had, and there being twenty-six ayes and two noes, the motion prevailed.

[C. C. No. 384.] Report of the Board of Viewers on the damages caused by the opening of Sycamore street, from Washington street to Mattern street.

Mr. **Holliday** moved

To recommit the Report to the Viewers.

Which motion prevailed.

[C. C. No. 433.] Report of the Board of Viewers on the cost of construction of bridge over Watson's Hollow, on the line of Sylvan avenue extension.

Mr. **Littell** moved

To refer the Report to the Road Committee.

Which motion prevailed.

[C. C. No. 409.] Report of the Board of Viewers on the damages caused by the grading of Second avenue, from Cross street to railroad crossing at Glenwood.

Which was read, accepted and approved.

[C. C. No. 571.] (Series 1875.) Report of the Board of Viewers on the damages caused by the opening of Hatfield street, from Forty-fourth to Forty-fifth streets. Which was read and approved.

[C. C. No. 432.] Report of the Board of Viewers on the damages caused by the change of grade of Madison street, from Fifth avenue to Forbes street.

Which was read and approved.

[C. C. No. 431.] Report of the Board of Viewers on the damages caused by the opening of Union alley, from Grant street to upper line of Johns' estate.

Which was read and approved.

[C. C. No. 383.] Report of the Board of Viewers on the damages caused by the opening of Harrison street from Fiftieth to Fifty-second street.

Which was read and approved.

[C. C. No. 408.] Report of the Board of Viewers on the damages caused by the opening of Lelia street, from Southern avenue to Grand avenue.

Which was read and accepted.

[C. C. No. 410.] Report of the Board of Viewers on the cost of construction of the bridge over the Pennsylvania railroad on the line of Ellsworth avenue.

Mr. **Bruce** moved

To approve.

On which motion a division was had, and there were seventeen ayes and nineteen noes.

So the motion did not prevail.

Mr. **Littell** moved

To refer the Report to the Board of Viewers, with instructions to assess the cost of construction on the property abutting on Ellsworth avenue, as a part of the cost of the construction of the avenue.

Which motion prevailed.

Mr. **Littell** asked

The clerk to read the entry in the journal.

Which was done.

Mr. **Bruce** asked

If the motion as put was not simply to "refer to the Board of Viewers."

The **President** stated

That he had so put the motion.

Mr. **Littell** asked

The clerk to read the entry in the journal.

Which was done.

Mr. **Bruce** stated

That he had not so understood it.

Mr. **Hunter** moved

To reconsider action on the adoption of the motion.

Which did not prevail.

The **President** decided

That the motion to reconsider having failed, the entry should stand "Referred to the Board of Viewers."

Mr. **Littell** objected.

The **President**, by consent, put the question as recorded.

On which a division was had.

Pending the taking of the vote,

Mr. **Bruce** demanded the ayes and noes,

Which was not sustained.

And the ayes were twenty-five; noes, six, [Mr. **Aiken** declining to vote.]

So the motion as recorded prevailed.

[C. C. bill, No. 403] An Ordinance entitled "An Ordinance repealing an Ordinance entitled "an Ordinance authorizing the opening of Sycamore street from Washington street to Mattern street," passed November 22d, 1875.

Which was read,

And the rule being suspended, the bill was read a second and third time.

And on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (L. T.), Bruce, Denniston, Duff (C. P.), Foster, Fox (George), Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, McCandless, McClurg, McGimpsey, McKinley, O'Neil (E. M.), O'Neil (John), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Waring, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Hunter** called up,

[C. C. No. 474] Resolved that the City Attorney is hereby directed to receive any sum of money, not less than \$165,000, which may be tendered on account of the sum of \$240,000, heretofore agreed to be taken for the claim of the city against the Nation Trust Company, and to hand the same to the City Treasurer, who shall receipt for the same on account; provided the same be paid on or before the 15th inst.

And, for the purpose of securing the payment of such sums, the said City Attorney is hereby directed to do such acts in the bankruptcy proceedings now pending, and to direct the release of such of the notes and mortgages and other securities in the hands of Wm. B. Negley, Trustee, or James Veech, Trustee, as may be necessary therefor. Provided, that the said Trustees shall retain in their hands, for the benefit of the city, such an amount of the securities in their hands as shall be amply sufficient to secure the payment to the city of the balance of the indebtedness of the Nation Trust Company to the city of Pittsburgh, and that the City Attorney, in conjunction with the Committee on Finance, be authorized to release the securities and determine the amount of the securities to be retained to secure the payment of the balance due from said Nation Trust Company.

Which was read, and the rule being suspended.

Mr. **Hunter** moved

The third reading and final passage of the bill.

On which motion Mr. Powers demanded the ayes and noes, which was sustained.

And the ayes and noes were ordered, and being taken, were:

Ayes—Messrs. Aiken, Bates, Brown (L. T.), Bruce, Denniston, Duff (C. P.), Duff (J. K. P.), Foster, Fox (Geo.), Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Lagerman, Lappan, Littell, Moore, McCandless, McClurg, McGimpsey, McKinley, O'Neil (John), Rodgers, Schild, Schwarm, Waring, Weldon—30.

Noes—Messrs. Murray, O'Neill (E. M.), Powers, Shipton. Sory—5.

Mr. Ahl declined to vote.

So the motion prevailed.

[S. C. bill No. 292.] An Ordinance entitled 'An Ordinance authorizing the opening of Reed street, from Overhill street to Dinwiddie street.'

Which was read,

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Bates, Brown (L. T.) Bruce, Denniston, Duff (C. P.), Duff (J. K. P.), Foster, Fox (Geo.), Geiger, Hayden, Herron, Holliday, Hunter, Jeremy, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, McCandless, McClurg, McKinley, O'Neill (E. M.), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Waring, Weldon, —35.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. O'Neill (E. M.) presented the following:

[513.] Pittsburgh, December 4th, 1876.

To the Select and Common Councils and Finance Committee of the city of Pittsburgh:

Gentlemen:—

As one of the bondsmen of the Hon. Wm. C. McCarthy, Mayor of the city of Pittsburgh, I would respectfully request that a new bond be required of his Honor, the Mayor. One of the bondsmen is reported to have failed. Having some time ago made a request to the city authorities to be relieved from responsibility on the same bond, without prejudice to my rights under the former notice, I now anew ask that a new bond be required, and decline to be responsible for any acts of the Mayor from this date by reason of the premises. Respectfully,

D. R. GALWAY.

Which was referred to the Finance Committee.

The President,

[514.] Petition of Charlotte Beum, for refunding of overpaid taxes.

Which was referred to the Finance Committee.

Mr. Brown (L. T.),

[515.] Resolution for a warrant in favor of Advocate Publishing Company, for advertising tax notices.

Which was referred to the Finance Committee.

Mr. Moore,

[516.] Petition for the construction of board-walk on Crescent street.

Which was referred to the Street Committee.

Mr. Denniston,

[517.] Petition for the construction of a board-walk on Homewood avenue.

Which was referred to the Road Committee.

Mr. Powers,

[518.] Petition of Andrew Bell for an abatement of business tax.

Which was referred to the Finance Committee.

Mr. Denniston,

[519.] Petition for the erection of public gas lamps on Lincoln avenue bridge.

Which was referred to Committee on Gas Lighting.

Mr. Jeremy,

[520.] Petition of George Parfitt for an abatement of taxes.

Which was referred to the Committee on Appeals.

Mr. Brown (R. B.), from the Ordinance Committee, the following Ordinances.

[521.] An Ordinance consolidating the Committees of Councils.

[522.] An ordinance making an appropriation for the payment of expenses incurred in the pursuit of criminals.

[523.] An Ordinance fixing the salary of the Mayor.

Which were referred to the Ordinance Committee. Also,

[524.] Petition of the heirs of Robert McAdams, for payment of damages awarded by Viewers, caused by the change of grade of Madison street.

Which was referred to the Finance Committee.

Mr. McGimpsey,

[525.] Petition of John Boyd for refunding of overpaid taxes.

Which was referred to the Committee on Appeals.

Adjourned.

attest S. B. Morrison

COMMON COUNCIL.

Chk

W. B. NEGLEY PRESIDENT.

GEORGE BOOTH CLERK.

PITTSBURGH, December 4, 1876.

Council met pursuant to the following call:

PITTSBURGH, December 2, 1876.

GEO. BOOTH, Esq.,

Clerk of Common Council—Sir—You will call a special meeting of Common Council for Monday next, December 4th, to consider Nation Trust Company's proposition.

W. B. NEGLEY,

President of Common Council.

Which was read.

Present—Messrs. Conway, Dickson, Dauler, Fox Fritz, Fennerty, Ferson, Foley, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Mears, Moore, McClarren, McCafferty, Nantket, Neeb, Nisbet, Powers, Roth, Rott, Thomson, Torrence, Voskamp, Wainwright, Negley.

Absent—Messrs. Atcheson, Bell, Boucher, Clark, Coll, Hahn, Hagan, Helms, Loughran, Lemer, Rahausser, Reynolds, Robeson.

Mr. McClarren moved

That the reading of the minutes be dispensed with, Which prevailed.

Mr. Thomson presented the following:

[No. 474.] Resolved, that the City Attorney is hereby directed to receive any sum of money, which may be tendered on account of the sum of \$240,000, heretofore agreed to be taken for the claim of the city against the Nation Trust Company, and to hand the same to the City Treasurer, who shall receipt for the same on account.

And for the purpose of securing the payment of such sums, the said City Attorney is hereby directed to do such acts in the bankruptcy proceedings now pending, and to direct the release of such of the notes and mortgages and other securities in the hands of Wm. B. Negley, trustee, or James Veech, trustee, as may be necessary therefor,

Which was read.

Mr. Thomson moved

To amend by inserting the words, "not less than \$165,000," after the word money, on second line, and by striking out the words, "such sums," and inserting in lieu thereof the words, "the balance," on seventh line,

Which prevailed.

Mr. McClarren moved

To amend by adding after the word "account" on fifth line, the following: "Provided the same be paid on or before the 15th instant,"

Which prevailed.

Mr. Thomson moved

To reconsider action on the vote adopting the amendment, by inserting the words "not less than \$165,000" after the word "money" on second line, and by striking out the words "such sums," and inserting in lieu thereof the words "the balance," on seventh line,

Which prevailed.

Mr. **Thomson** moved as a substitute, To amend by inserting the words not "less than \$165,000," after the word "money," on second line, Which prevailed.

Mr. **Thomson** moved To amend by adding to the end of the resolution, "Provided that the said Trustees shall retain in their hands, for the benefit of the city, such an amount of the securities in their hands as shall be amply sufficient to secure the payment to the city of the balance of the indebtedness of the Nation Trust Company to the city of Pittsburgh."

Mr. **McFarren** moved To amend the amendment by adding the following: "And that the City Attorney in conjunction with the Committee on Finance, be authorized to release the securities, and determine the amount of securities to be retained to secure the payment of the balance due from said Nation Trust Company."

Which, a division being had, the ayes were 12, and the noes were 11.

So the amendment to the amendment prevailed. And on the question, shall the amendment as amended be adopted, the motion prevailed, and the amendment as amended was adopted.

The resolution as amended follows: Resolved, That the City Attorney is hereby directed to receive any sum of money, not less than \$165,000, which may be tendered on account of the sum of \$240,000, heretofore agreed to be taken for the claim of the city against the Nation Trust Company, and to hand the same to the City Treasurer, who shall receipt for the same on account; provided the same be paid on or before the fifteenth instant. And for the purpose of securing the payment of such sums, the said City Attorney is hereby directed to do such acts in the bankruptcy proceedings now pending, and to direct the release of such of the notes and mortgages and other securities in the hands of Wm. B. Negley, trustee, or James Veech, trustee, as may be necessary therefor; provided that the said trustees shall retain in their hands, for the benefit of the city, such an amount of the securities in their hands as shall be amply sufficient to secure the payment to the city of the balance of the indebtedness of the Nation Trust Company to the city of Pittsburgh; and that the City Attorney, in conjunction with the Committee on Finance, be authorized to release the securities and determine the amount of the securities to be retained to secure the payment of the balance due from said Nation Trust Company.

Was, the rule being suspended, read a third time and finally passed.

The Chair presented the following: [475] To the President and members of Common Council of the city of Pittsburgh:

Gentlemen—I hereby respectfully tender my resignation as a member of your body, from the Sixth ward,

W. J. FLINN.

Pittsburgh, November 28, 1876.

Which was read, received and accepted.

Mr. **Thomson** presented

[476] Petition of Wm. Evans and others for exoneration from payment of one-half of cost of improvement of Duquesne Way.

Referred to Committee on Finance.

Mr. **Dauler**,

[477] Resolution relating to public lamps on Forbes street bridge, 14th ward.

Referred to Committee on Gas Lighting.

Mr. **Fox**,

[478] Petition of Jas. J. Woods, for reduction of assessment of property in the 11th ward.

Referred to Committee on Appeals.

Also,

[479] Petition of John T. Powell, for refunding of over-paid tax.

Referred to Committee on Appeals.

Mr. **Kettenberg**,

[480] Resolution for removal of public lamps from

north corner of Pike and Eleventh streets to south corner of same.

Referred to Committee on Gas Lighting.

The **Chair** presented,

[481] Communication from Alexander Bates dedicating to public use, forever, the property for Arabella street, from Shady Lane to Denniston avenue, 20th ward,

Which was read and accepted.

Also,

[482] Communication from Alexander Bates, dedicating to public use, forever, the property for an alley, twenty feet wide, running from Shady Lane to Denniston avenue, between Fifth avenue and Arabella street.

Which was read and accepted.

Mr. **Conway**,

[483] Petition of Henry Whitfield for exoneration from payment of costs on lien of city for construction of a sewer in 29th ward.

Referred to the Committee on Finance.

Mr. **Thomson**,

[484] Report of the Viewers of Street Improvements on C. C.

[324] Petition for the regrading, repaving and recubing of Thirty-third street, from Penn avenue to Liberty avenue.

Read, received and filed.

Also,

[485] Report of the Viewers of Street Improvements on C. C.

[342] Petition for the regrading and repaving of Thirty-fourth street, from Liberty street to Liberty avenue.

Read, received and filed and adopted.

Mr. **Fox** presented from the Committee on Police, recommended affirmatively.

[339 C. C.] Entitled "An Ordinance to regulate Taverns and all other Houses for Public Entertainment, ale and porter shops, and houses and other places for habitual resort for the purposes of tipping or intemperance."

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Dauler, Fox (John), Fritz, Fennerty, Ferson, Foley, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Powers, Thomson, Torrence, Voskamp, Wainwright, Negley 26.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

BUSINESS FROM SELECT COUNCIL.

[512 S. C.] Report of Water Committee on award of contract for furnishing two check valves in S. C. December 4th, 1876, approved.

In which action C. C. concurred.

[500 S. C.] Petition asking Councils to pass bill granting to the Pittsburgh and South side Railway Company right to use certain streets.

In S. C. Nov. 27, read and accepted.

In which action C. C. concurred.

[112 S. C.] Entitled "An Ordinance granting the use of certain streets to the Pittsburgh and South Side Railway Company."

In C. C. May 8th, passed.

In S. C. November 27th, passed finally as amended.

Which was read,

And the rules being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally as amended?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Dauler, Fox,

Fritz, Fennerty, Ferson, Foley, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Mears, Moore, McCafferty, Naniker, Neeb, Nisbet, Powers, Thomson, Torrence, Voskamp, Wainwright, Negley—25.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[181 C. C.] Entitled "An Ordinance authorizing the opening of Osage Lane, from Penn avenue to line of property of heirs of Stacy Lloyd."

In S. C. November 27th, passed.

Which was read.

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Mears, Moore, McCafferty, Naniker, Neeb, Nisbet, Powers, Torrence, Voskamp, Wainwright, Negley—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[190 S. C.] Entitled "An Ordinance relative to the election of fines and forfeitures."

In S. C. November 27th, passed.

Which was read,

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Kettenberg, Kirchner, Mears, Moore, McCafferty, Naniker, Neeb, Nisbet, Powers, Torrence, Voskamp, Wainwright, Negley—23.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[333 S. C.] Entitled "An Ordinance amending City Code, title, 'signs and sign-boards,'" page 282.

In S. C. November 27th, passed.

Which was read.

Mr. **Kettenberg** moved

To postpone action until the next meeting.

Which prevailed.

Mr. **Mears** presented

[486] A resolution for the erection of a fire-plug at Engine House, No. 7, 12th ward.

Referred to Committee on Water.

Mr. **Kettenberg** moved

To reconsider the vote by which action was indefinitely postponed on C. C. No. 340, entitled "An Ordinance concerning Junk Shop Keepers."

Which motion prevailed.

And on motion the bill was referred back to the Committee on Police.

Mr. **Fox** presented the following.

[487] Resolved, That the written opinion of George Lear, Esq., Attorney General of Pennsylvania, to Wm. B. Negley Esq., President of Common Council, relative to the time of expiration of the terms of office of the present members of Councils, and other questions pertaining thereto, be incorporated in full in the minutes of Councils.

Which was read and passed.

PITTSBURGH, November 20, 1876.

Attorney General Lear:

DEAR SIR: By our city charter our Common Councilmen are elected annually, and, until at least the passage of the law hereafter mentioned, were required to organize "on the first Monday after the first day of January in each year." But on the 10th day of March, 1875, the act of Assembly, No. 7, page 6, of the acts

of 1875, was approved. The Councilmen that were elected February, 1875, organized the first Monday after the first day of January, 1876, and are still in office. On February 15th, 1876, the regular election day for city and ward officers under the new Constitution, members of Common Council were elected for A. D. 1877. When do they organize under the act of March 10, 1875, and how long does the present Council exist? Respectfully,

W. B. NEGLEY,
President Common Council.

THE OPINION.

Office of Attorney General,
Harrisburg, November 21, 1876.

W. B. Negley, Esq.:

DEAR SIR: Yours of the 22th inst. is received. I cannot answer your inquiries officially, for they do not belong to my department; but if I can assist you out of the difficulty it will afford me great pleasure to do so.

The act of March 10, 1875, is as follows:

Section 1. *Be it enacted etc.*, That all members of Councils, and all other city, ward, borough and township officers, except school directors, to be elected on the third Tuesday of February next, or in any year thereafter, whose term of office would, under existing laws, expire prior to the first Monday in April, shall continue in office from the date at which their terms would otherwise expire, until the first Monday of April next ensuing thereto; and the terms of the successors shall begin on the first Monday of April, and shall continue for the period now fixed for the duration thereof by existing laws in each particular case; and hereafter all elections for officers, which will be vacant on the first Monday of April, shall be held on the third Tuesday in February next preceding thereto.

Section 2. That the members of the Legislative departments of the municipal governments of this Commonwealth hereafter elected, shall assemble in their respective places of meeting for the purpose of organization, at 10 o'clock in the forenoon, of the first Monday in April each year; and that the Mayors of all cities of this Commonwealth shall be inaugurated and take the official oath at 12 o'clock noon of the same day.

The two things that are provided for in this act are the extension of the terms of members of Council and other officers thereafter to be elected on the first Monday in April following the date when they would otherwise have expired, and the election of all such officers at the February election immediately preceding the first Monday in April, at which their terms are to commence. These two provisions must be so construed as to have full operation with as little conflict with each other as possible. Among the officers falling under these provisions of the act in various portions of the State, by general and special laws, are those whose terms expired probably every month of the year. I have made some effort, and with considerable success, to bring them all under the provisions of the act of March 10, 1875, in order that there may be a uniform system throughout the Commonwealth. The act is a good one, and should be reconciled with existing laws as far as possible. It requires a little time to accomplish the result, and the act of Assembly could not have hastened it, for the terms of officers who were then elected could not have been extended.

COUNCILMEN NOT AFFECTED.

In the first place, your Councilmen elected in 1875 are not affected by the act, which was passed after they were elected, and their terms of office will expire at the time provided in the law as it stood at the time of their election, which will be on the first Monday following the 1st day of January, 1877. Those elected on the 15th day of February, 1876, will then take their places, the act of March 10, 1875, making no change in the commencement of the terms of

those elected in pursuance of it. They will organize *as if no such law had been enacted*, for it does not pretend to fix a period for the commencement of their office. But it extends their terms to the first Monday in April ensuing, the date at which they would otherwise expire. That will be the first Monday in April, 1878.

The second thing provided in the act of March 10, 1875, is that thereafter "all elections for officers which will be vacant on the first Monday of April, shall be held on the third Tuesday of February next preceding thereto." Where it is possible, we must so continue, an act so as to make the whole of it operative if possible and that none of it shall be lost. *Ut res magis valeat quam pereat*. In order to give effect to the whole of this section, your members of Council must hereafter be elected on the third Tuesday preceding the first Monday of April, at which time they enter upon their duties. Those who will be installed in January, 1877, have their times extended until April, 1878; and as a necessary consequence, their successors cannot be elected until February, 1878. The result will be the *omission of an election of that portion of your Councilmen in February, 1877*. While this looks like the loss of the right to elect for a year, it is in reality only for three months, and brings the election of these officers

nearly three months nearer the time when they are to enter upon their duties.

To give effect to the second section of the act of March 10, 1875, the organization may be repeated on the first Monday of April next, but it is unnecessary. That section is merely directory, and if such an organization should be omitted in cases where it would be superfluous, no consequences are denounced to follow the omission, a continuance of the organization of January, 1877, will be a ratification of it, and render all acts under it valid. Although it directs the organization on the first Monday of each year, it should be construed "each year where an organization for the year is necessary." There may be Councils for boroughs in portions of the State elected for two years, and it does not apply to them. It cannot apply to your city for next year, for your Council will be already organized. You will elect no Councilmen at the February election next preceding the first of April, 1877, add therefore will have no Legislative body requiring organization.

If this course be pursued, you will enforce every provision in the act to have a harmonious system which will work admirably in the future.

Yours truly,

GEORGE LEAK.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, DECEMBER 11, 1876.

No. 30.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 11, 1876.

Council met.

Present—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Carr, Dannals, Darlington (B.), Duff (J. K. P.), Evans, Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Herron, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Lappan, Little, Meyer, Miller, Moore, McCandless, MacConnell, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), Powers, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Vierheller, Welsh, Weldon.

Absent—Messrs. Brown (R. B.), Brown (L. T.), Brown (S. S.), Bruce, Buckley, Darlington (H.), Deniston, Dietrich, Duff (C. P.), Epping, Felker, Foster, Hayden, Holliday, Kerr, Murray, Negley, Nussler, O'Neill (John), Perry, Ray, Sawyer, Stouff, Taylor, Waring, and President Gross.

In the absence of the President, Mr. Aiken was chosen President pro tem.

Mr. McClurg moved

To dispense with the reading of the minutes.

Which motion prevailed.

Mr. Barclay presented.

[526] Petition of Mrs. Samuel Allinder, for the assessment of damages caused by the grading of Homewood avenue.

Which was referred to the Road Committee.

Mr. Fox (Geo.),

[527] Appeal of Geo. Fox, for refunding of overpaid taxes.

[528] Appeal of Dodson, Burt & Co., for abatement of over assessed taxes.

Which were referred to the Committee on Appeals from City Assessments.

Mr. McClurg,

[529] Petition of Chas. Sloan for the abatement of over assessed taxes.

Which was referred to the Committee on Appeals.

Mr. Goldthorp the following:

[530] Resolved, That the Fire Commissioners of the city of Pittsburgh, be instructed to place apparatus in the fire engine house, 32d ward, forthwith.

Which, the rule having been suspended, was read three times and passed.

Mr. Shipton, from the Finance Committee,

[531] A report covering and recommending the passage of a resolution for warrants in favor of the

viewers appointed to assess cost of construction of Sylvan avenue bridge.

Which was read and accepted.

Also,

[491] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificates for warrants on the Mayor, in favor of James D. Kelly, Henry E. White and J. M. Hoch, for eighty dollars each, for services as viewers to assess the benefits and damages caused by the construction of the Sylvan avenue bridge, in November, 1875, and charge the same to Contingent Fund.

Which, the rule having been suspended, was read three times and passed.

Also,

[53] A report covering and recommending the passage of resolutions authorizing the refunding of taxes paid by the Aetna, Mutual Benefit and Security Life Insurance Companies.

Which was read and accepted.

Also,

[147 S. C.] Resolved, That the City Controller shall be and he is hereby directed to issue his certificate for a warrant in favor of the Aetna Life Insurance Company, and of the Mutual Benefit Life Insurance Company, for the amount of tax paid by said companies to the city for the year 1874, under a misapprehension and charge the same to Contingent Fund.

Which the rules being suspended, was read a third time and finally passed.

Also,

[439 C. C.] Resolved, That the City Controller shall be and he is hereby authorized to issue a certificate for a warrant in favor of the Security Life Insurance Co., for the sum of sixty dollars and twenty-five cents, being amount of tax collected from said Company, for the year 1871, under a misapprehension of the law, said sum to be paid out of the Finance Fund.

Which, the rule being suspended, was read a third time and passed.

Also,

[533] A report covering and recommending passage of a resolution authorizing the payment of bill of R. R. Reno, for building a boardwalk on Yard's alley.

Which was read and accepted.

Also,

[534] Resolved, That the City Controller be and he is hereby authorized to issue his certificate for a warrant in favor of R. R. Reno, for building a sidewalk on Yard's alley, to the amount of \$251.85, and charge the same to the Contingent Fund.

Which, the rule being suspended, was read three times and passed.

Also,

[535] A report covering and recommending the passage of a resolution, authorizing the issuing of a warrant in favor of Wm. McAdams, for damages caused by grading Madison street.

Which was read and accepted.

[536] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on

the Mayor, for a warrant in favor of Thos. S. Bigelow, Esq., City Attorney, to the amount of (\$1,265.00) twelve hundred and sixty-five dollars, on account of damages caused by the grading of Madison street to the property of Wm. McAdams.

Which, the rule having been suspended, was read three times and passed.

Mr. McCandless,

[537] Report of the Water Committee covering an account of the expenditures (\$7,854.64) for the month of October.

[538] Report of the Water Committee covering an account of the expenditures (\$6,840.12) for the month of November.

Which were read and accepted.

Mr. Hunter,

[539] A report from the Committee on City Property covering an account of the expenditures for the month of November. (\$1,132.93)

[540] Report from Committee on City Property covering an account of the expenditures. (\$747.19.)

Which were read and accepted.

Mr. Schwarm,

[541] A report from the Market Committee covering an account of the expenditures (\$746.54) for the month of October.

[542] A report from the Market Committee covering an account of the expenditures (\$688.26) for the month of November.

Which was read and accepted.

Mr. Bates, from the Committee on Wooden Buildings, affirmatively,

[C. C. bill No. 451] An Ordinance entitled "An Ordinance granting Elizabeth McConaghey the privilege to erect a frame addition to her building on Butler street, 15th ward."

Which was read,

And the rule having been suspended, the bill was read a second and a third time, and further action postponed.

Also, from the same committee, affirmatively,

[S. C. bill No. 369] An Ordinance entitled "An Ordinance granting W. H. Daly right to erect a frame building."

Which was read,

And the rule having been suspended, the bill was read a second and a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Bates, Carr, Darlington (B.), Duff (J. K. P.), Evans, Fox (George), Fox (Gregor), Froehlich, Geiger, Goldthorp, Herron, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Littell, Miller, McCandless, MacConnell, McClurg, McGimpsey, McKinley, O'Neill (E. M.), Powers, Reiman, man, Schild, Schwarm, Shipton, Welsh, Aiken—35.

Noes—Messrs. Dannals, Moore, Vierheller, Weldon—4.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

The President,

The following message from the Mayor, returning to Councils S. C. No. 488, a resolution authorizing the Controller to issue his certificate on the Mayor, for a warrant in favor of the Board of Health, for (\$4,000) four thousand dollars, on unexpended balances remaining in the treasury after payment of December rolls.

[543] To the President and Members of the Select Council:

Gentlemen—I respectfully return to your honorable body resolution No. 488 without my approval, for the reason that it appropriates unexpended balances of appropriations to the Board of Health, in the face of the Act of Assembly, which says, "All unexpended balances of regular appropriations shall become a

part of the Sinking Fund, and shall be used for no other purpose whatever."

Yours, respectfully,

WM. C. McCARTHY,

Mayor.

Which was read and accepted.

Whereupon Council, agreeably to law, proceeded to the reconsideration of the resolution referred to in the message.

[S. C. No. 488.] Resolution for a warrant in favor of the Board of Health.

And on the question, "Shall the resolution pass notwithstanding the objections of the Mayor?" the ayes and noes were ordered to be taken, and were:

Ayes—Messrs. Bates, Darlington (B.), Evans, Froehlich, Gourley, Goldthorp, Herron, Hunter, Jeremy, Kennedy, Littell, Meyer, MacConnell, McGimpsey, Powers, Schild, Schwarm, Shipton, Vierheller, Welsh—20.

Noes—Messrs. Atkinson, Barckley, Carr, Dannals, Duff (J. K. P.), Fox (Geor.), Geiger, Kernan, Lagerman, Miller, Moore, McCandless, McClurg, McKinley, O'Neill (E. M.), Reiman, Rodgers, Sorg, Weldon, Aiken—19.

So the question was decided in the negative.

Mr. Hunter, by leave,

[544] Resolved, That the Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of the Board of Health for the sum of \$4,000, and charge the same, \$3,000 to Appropriation No. 7, Streets, and \$1,000 to Appropriation No. 23, Surveys.

Which, the rule having been suspended, was read three times and passed.

Mr. Bates, from the Committee on Wooden Buildings, affirmatively,

[S. C. Bill No. 503.] An Ordinance entitled, "An Ordinance granting Alexander McClure & Co. the right to erect an iron-clad shed."

Which was read,

And the rule having been suspended, the bill was read a second and third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Bates, Dannals, Duff (J. K. P.), Evans, Fox (George), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Herron, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Lappan, Littell, Meyer, Miller, Moore, McClurg, McGimpsey, McKinley, O'Neill (Eugene M.), Powers, Reiman, Rodgers, Schild, Schwarm, Shipton, Sorg, Vierheller, Aiken—37.

Noes—Mr. Weldon—1.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. MacConnell, by leave, called up,

[C. C. Bill No. 423.] "An Ordinance authorizing the Road Committee to enter into a contract with the Pittsburgh Gas Company, and directing the change of grade therein provided for."

Nov. 27 failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Atkinson, Barckley, Bates, Carr, Dannals, Darlington, Duff (J. K. P.), Evans, Fox (George), Froehlich, Geiger, Gourley, Goldthorp, Herron, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Lappan, Littell, Meyer, Moore, MacConnell, McClurg, McGimpsey, O'Neill (Eugene M.), Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Vierheller, Weldon, Welsh, Aiken—39.

Noes—Messrs. Miller and Schild.

Before the result was announced, Messrs. Miller and Schild asked and obtained leave to change their votes from, "No" to "Aye," and the ayes were 41, and the noes were none.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Shipton**, from the Committee on Gas Lighting,

[545] A report covering and recommending the passage of resolutions authorizing the erection of public gas lamps by the East End, Pittsburgh and West Pittsburgh Gas Companies, and calling the attention of the Councils to the fact that the contract with the East End Gas Company expired in September last.

Which was read and received.

Also,

[546] Resolved, That the West Pittsburgh Gas Company be and they are hereby authorized to erect public gas lamps at the following points: One on Chestnut street, one hundred feet from Pine street; one on Warden street, two hundred feet from Presbyterian church, and one on Chestnut street, near the head of Alexander street.

Which, the rule having been suspended, was read three times and passed.

Also,

[547] Resolved, That the Pittsburgh Gas Company be and they are hereby authorized and directed to erect a public gas lamp on Davis street, between Wylie and Webster avenues.

Which, the rule having been suspended, was read three times and passed.

Also,

[548] Resolved, That the East End Gas Company be and they are hereby directed to erect public gas lamps at the following points: One on Liberty street, between Twenty-first and Twenty-second streets, two on Elm street, 16th ward, two on Rebecca street as follows, one near Hoeveler's house and one at south end of pavement; two on Stanton avenue, at two hundred feet apart, east of Hilland avenue, the first to be two hundred feet east of Hilland avenue; two on Lytle street between Hazelwood avenue and Linden avenue.

Which, the rule having been suspended, was read three times and passed.

Mr. **Vierheller** (by leave) called up,

[C. C. bill No. 457] An Ordinance entitled "An Ordinance locating center line of Chestnut street, from Wood street to Carson street."

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeable to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Carr, Dannals, Darlington (B.), Duff (J.K.P.), Evans, Fox (Geo.), Froehlich, Geiger, Gourley, Goldthorp, Herron, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Lappan, Littell, Meyer, Miller, Moore, MacConnell, McClurg, McGimpsey, McKinley, O'Neill (E. M.), Powers, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Vierheller, Weldon, Welsh

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. **Bates** (by leave) called up.

[C. C. bill No. 399] An Ordinance entitled "An Ordinance authorizing the construction of a boardwalk on Knox avenue, from Brownsville avenue to the city line."

Which was read once and referred to the Board of Viewers.

Mr. **Herron** presented.

[549] A petition for the erection of six public gas lamps on Duquesne Way, between Third and Water streets.

Which was referred to the Committee on Gas Lighting.

Mr. **MacConnell**, from the Ordinance Committee, affirmatively,

[S. C. Bill No. 522.] An Ordinance entitled, "An Ordinance making an appropriation for the payment of expenses incurred in the pursuit of criminals."

Which was read once.

Also, from the same Committee, affirmatively,

[S. C. Bill No. 459.] An Ordinance entitled, "An Ordinance prohibiting persons from getting on or off locomotives or cars while in motion."

Which was read once.

Mr. **Goldthorp** moved,

To amend by adding the words, "or street cars."

Which did not prevail.

Also, from the same Committee, affirmatively,

[S. C. Bill No. 521.] An Ordinance entitled, "An Ordinance consolidating the Committees of Councils."

Which was read once.

Mr. **Evans** moved,

To postpone action on the bill indefinitely.

On which motion a division was had and there were fifteen ayes and seventeen noes.

So the motion did not prevail.

Mr. **MacConnell**, from the Road Committee,

[550] A report covering expenditures for the month of October. (\$838.74)

[551] A report covering amount of expenditures (\$513.99) for November.

Which were read and accepted.

Also, from the same Committee,

[552] An Ordinance authorizing the opening of Reservoir avenue, from River avenue to Hilland avenue reservoir.

Which was referred to the Road Committee.

Also, from the same Committee,

[553] An Ordinance authorizing the opening of Center avenue, from Neville street to Liberty street.

Which was referred to Road Committee.

Also, from the same Committee, affirmatively,

[S. C. bill No. 472] An Ordinance entitled "An Ordinance authorizing the assessment of the cost of construction of a bridge over Boundary street on the line of Forbes street."

Which was read once.

Also, from the same Committee, affirmatively,

[S. C. bill No. 471] An Ordinance entitled "An Ordinance authorizing the assessment of the cost of construction of bridge over Negley's run on the line of Lincoln avenue."

Which was read once.

Also, from the same Committee,

With a recommendation for its recommitment to the Board of Viewers for a review.

[C. C. No. 433] Report of Board of Viewers of Street Improvements, on the cost of the construction of a bridge over Watson's hollow, on the line of Sylvan avenue extension.

Which was recommended to the Board of Viewers for reassessment.

Also, from the same Committee, affirmatively,

[C. C. bill No. 420] An Ordinance entitled "An Ordinance repealing an Ordinance entitled 'An Ordinance authorizing the construction of a sewer on Locust alley, from Meyran avenue to Ravine street,' passed September 24th, 1875."

Which was read.

And the rule having been suspended, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeable to law, and were:

Ayes—Messrs. Barclay, Bates, Carr, Dannals, Darlington (B.), Evans, Fox, (George), Froehlich, Geiger, Gourley, Goldthorp, Hunter, Jeremy, Kennedy, Kernan, Lagerman, Littell, Meyer, Miller, Moore, MacConnell, McClurg, McKinley, O'Neill, (Eugene M.), Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Weldon, Welsh, Aiken—34.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Kennedy,

[554] A petition for the erection of a public gas lamp corner of Pride and Bluff streets. Which was referred to Committee on Gas Lighting.

Mr. Powers,

[555] Petition for the erection of a public gas lamp on Centre avenue, two hundred and twenty-five feet west of Reed street.

Which was referred to Committee on Gas Lighting.

Adjourned.

attest

E. S. McGowan
COMMON COUNCIL. CL.

W. B. NEGLEY.....PRESIDENT.

GEORGE BOOTH.....CLERK.

PITTSBURGH, December 11, 1876.

Council met.

Present—Messrs. Atcheson, Bell, Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Rott, Thomson, Wainwright, President Negley.

Absent—Messrs. Boucher, Clark, Coll, Ferson, Hahn, Hagan, Helmold, Kettenberg, Kirchner, Laughran, Leiner, Powers, Roth, Robeson, Torrence, Voskamp.

On motion of Mr. Atcheson, the reading of the minutes was dispensed with.

Mr. Fennerty presented

[48.] Petition of Lindsay, Murray & Co., for reduction of valuation of property in 1st ward.

Referred to Committee on Appeals.

Mr. Thomson presented

[48.] A report from the Committee on Streets covering a statement of their expenditures for the month of November, as follows:

First District.....	\$1,703 52
Second ".....	1,735 71
Third ".....	1,666 70
Fifth ".....	785 86
Sixth ".....	1,001 67
Seventh ".....	1,145 12
Engineers' Department.....	725 66
Board of Viewers.....	378 00
Special (Street Signs).....	134 75

Total.....\$3,676 39

Unexpended Balance.....\$12,148 85

Read, received and filed.

Also, from the Committee on Streets, affirmatively recommended,

[49 S. C.] Entitled "An Ordinance authorizing the paving and curbing of Bluff street, from west side of Marion street to Shingiss street."

In C. C. September 25th, passed.

In S. C. October 30th, amended and passed.

In C. C. November 13th, referred to Committee on Streets.

Which was read,

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Conway, Dickson, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Rott, Thomson, Torrence, Wainwright, Negley—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended,

[401 C. C.] Entitled "An Ordinance granting Joseph Keeling the privilege to use dummy engine on his coal railroad on Twenty-first street."

Which was read.

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rott, Thomson, Wainwright, Negley—23.

Noes—Mr. Rahausser—1.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on streets, affirmatively recommended,

[449 C. C.] Entitled "An Ordinance authorizing the construction of a boardwalk on Manor street, from tunnel under P., V. & C. Railway to P., V. & C. Railway crossing."

Which was read.

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Rott, Thomson, Wainwright, Negley—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets, affirmatively recommended,

[448 C. C.] Entitled "An Ordinance authorizing the opening of Woodville avenue extension, from Washington pike to Shalersville, 35th ward."

Which was read.

And the rule being suspended, the bill was read a third time,

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mears, Moore, McClarran, McCafferty, Nantker, Neeb, Nisbet, Rahausser, Rott, Thomson, Wainwright, Negley—24.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Also, from the Committee on Streets affirmatively recommended,

[504 S. C.] Entitled "An Ordinance authorizing the opening of Mary street, from Twenty-eighth street to Thirty-second street."

Which was read.

And the rule being suspended, the bill was read a third time.

Mr. Rahausser, presented,

[490.] A remonstrance against the opening of Mary street, from Twenty-eighth street to Thirty-second street.

Which was read and received.

Mr. Foley moved

That action on the bill be indefinitely postponed.

Which motion prevailed, and further action was indefinitely postponed.

Also,

[491.] Entitled "An Ordinance authorizing the construction of a boardwalk on Cassatt and Crescent streets, from Cliff street to stairway, near line of Seventeenth street," produced.

Referred to Committee on Streets.

Mr. Thomson, (by leave.)

[492.] A resolution authorizing the Controller to issue his certificates for warrants for payment of expenses incurred in Butler street extension.

Which was read.

Mr. McLarran moved

To refer the resolution to the Committee on Finance.

Which prevailed.

Mr. Fox presented

[493.] A report from the Committee on Police covering a statement of their expenditures for the month of November, amounting to \$15,968.29.

And recommending the passage of a resolution for the payment of a portion of the roll for December, from Appropriation No. 3.

Which was read, received and filed.

Also, from the Police Committee, affirmatively, the following:

[494.] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for warrants in favor of the Police Department for the sum of three thousand dollars (\$3,000) upon Appropriation No. 3, Printing.

Which, the rule being suspended, was read three times and finally passed.

Mr. Fennerty moved from Committee on Appeals, affirmatively, recommended, the following:

Resolved, That the Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of the Metropolitan Bank for twenty-three dollars, for refunding overpaid taxes on property in the 17th ward, and charge the same to the Contingent fund.

Which, the rule being suspended, was read three times and finally passed.

Also, from the Committee on Appeals, affirmatively recommended the following:

[496.] Resolved, That the City Treasurer be directed to allow exonerations of taxes as follows:

Name.	Ward.	City Tax.	W. W. Int.	Fire.	S. P.	Special.
Jos. Wegeman.....	16	\$ 9 90	\$ 4 12	\$2 72	\$2 47	\$1 65
Geo. A. Thursby...	30	6 01	2 50	1 65	1 50	
Jas. J. Woods.....	11	8 80	3 66	2 42	2 20	1 65
Jas. Howard	14	2 80	1 16	77	70	
Fred. Hartman	23	29 28	12 20	8 05	7 32	
Hiram Duke.....	23	5 00	2 07	1 37	1 25	
1st Ref. Pres. Ch. ..	3	30 80	12 83	8 47	7 70	5 77

Which, the rule being suspended, was read three times and passed.

Mr. Fennerty moved

To reconsider the vote by which the foregoing resolution, No. 496, was passed,

Which prevailed.

Mr. Fennerty moved

To amend the resolution, by striking out the item exonerating the "1st Reformed Presbyterian Church."

Which prevailed

And the resolution as amended, was read three times and passed.

Mr. Thomson presented

[497.] A report from the Finance Committee returning, with a negative recommendation, No. 476 C. C. Petition of Wm Evans and others, for release from payment of one-half of cost of improvement of Duquesne Way.

Which was read, received and filed.

Also, the following:

[498.] Resolved. That the City Attorney be and he is hereby authorized to exonerate the property owners on Duquesne Way, from payment of one-half of the cost of the improvement of said Duquesne Way.

Which was read.

Mr. Foley arose to a point of order, "That by the rules of Council the Committee on Finance should report to Select Council, therefore the matter was improperly before this Council.

The Chair ruled,

The point of order "not well taken."

Mr. Nisbet moved

To postpone action indefinitely.

Mr. Foley arose to a point of order, "That the rule had not been suspended, therefore further action could not be taken"

The Chair ruled,

"The point well taken."

Mr. Thomson moved,

To suspend the rules for the final passage of the resolution.

Which did not prevail.

And the resolution was laid over, under the rules.

Mr. Fox presented, from a special Committee, affirmatively recommended,

[494 C. C.] Entitled "An Ordinance fixing the salary of the message clerk of Councils."

Which was read, and the rule was suspended for the third reading of the bill.

Mr. Kerr moved,

To amend the bill by striking out the words "six hundred," on fourth line, and insert the words "four hundred and fifty," in lieu thereof.

Mr. Hughes moved,

To amend the amendment, by substituting the words "five hundred," for the words "four hundred and fifty."

Which, on a division being had, did not prevail, ayes, eight; noes, ten.

And on the question, "Shall the amendment of Mr. Kerr, viz: 'four hundred and fifty,' be adopted.

A division of the vote was had, and the ayes were eleven, noes, ten.

So the amendment prevailed.

SELECT COUNCIL BUSINESS.

[543 S. C.] Message from the Mayor, returning without his approval, S. C. No. 488. Resolution for the payment of expenses of Board of Health from unexpended balances.

In S. C. December 11th, 1876, read, accepted and veto sustained.

In which action C. C. concurred.

[544 S. C.] Resolution authorizing the Controller to issue his certificate for warrants in favor of the Board of Health, for the sum of four thousand dollars, and charge the same, three thousand dollars to Appropriation No. 7, Streets; and one thousand dollars to appropriation No. 23, Surveys.

In S. C. December 11th, passed.

Which, the rule having been suspended, was read three times and finally passed.

[530 S. C.] Resolution directing the Board of Fire Commissioners to place apparatus in the Fire Engine House in the 32d ward, forthwith.

In S. C. December 11th, passed.

In which action C. C. concurred.

[333 S. C.] Entitled "An Ordinance amending City Code," title, "Signs and Sign-boards," page 282.

In S. C. November 27th, passed.

In C. C. December 4th, action postponed.

Which was read,

And the rules being suspended, the bill was read a third time.

And on the question "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Bell, Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mearns, Moore, McLarran, McCafferty, Nantker, Neeb, Reynolds, Rott, Wainwright, Negley—22.
Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

Mr. **Mears** presented

[499] Petition of Wm. Lemmon, for refunding of overpaid taxes.

Referred to Committee on Appeals.

Mr. **Dickson**,

[500] Resolution requesting the Fire Commission to extend the Fire Alarm Telegraph to the corner of Thirty-third and Meyran streets.

Referred to Board of Fire Commissioners.

[410 C. C.] Report of the Viewers of Street Improvements on the construction of a bridge over the P. R. R. on line of Ellsworth avenue.

Pending the consideration of which,

Mr. **Neeb** demanded a call of the house,

And the call being made, there were present:

Messrs. Bell, Conway, Dickson, Dauler, Fox, Fritz, Fennerty, Foley, Hogle, Hughes, Kerr, Mears, Moore, McCafferty, Naniker, Neeb, Nisbet, Reynolds, Wainwright, Negley.

And there not being a quorum, Council stood Adjourned.

SELECT COUNCIL.

PITTSBURGH, December 18, 1876

Council met.

Present—Messrs. Aiken, Barckley, Bates, Bruce, Darlington (B.), Evans, Fox (George), Froehlich, Geiger, Herron, Holliday, Hunter, Jeremy, Kennedy, Lagerman, Littell, Miller, Moore, McCandless, McClurg, McKinley, O'Neill, (Eugene M.), Powers, Reiman, Rodgers, Schwarm, Shipton, Sorg—28.

Absent—Messrs. Atkinson, Brown, (L. T.), Brown (R. B.), Brown, (S. S.), Buckley, Carr, Dannels, Darlington, (H.), Denniston, Dietrich, Doyle, Duff, (C. P.), Duff, (J. K. P.), Epping, Felker, Foster, Fox, (Gregor), Gourley, Goldthrop, Hayden, Kernan, Kerr, Meyer, Murray, MacConnell, McGimpsey, Negley, Nusser, O'Neil, (John), Perry, Ray, Rolfe, Sawyer, Schild, Stouff, Taylor, Vierheller, Waring, Weldon, Welsh, Gross—41.

And their being no quorum,

Mr. **Jeremy** moved

That Council adjourn until Friday next, December 22d, at two o'clock,

Which motion prevailed,

And Council stood adjourned for want of a quorum.

attest

E. S. Mearns

Clk

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

MONDAY, DECEMBER 22, 1876.

No. 31.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 22, 1876.

Council met pursuant to adjournment.

Present—Messrs. Aiken, Barclay, Brown (S. S.), Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Froehlich, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring.

Absent—Messrs. Ahl, Atkinson, Bates, Brown (R. B.), Dannels, Darlington (B.), Darlington (H.), Denniston, Dietrich, Felker, Foster, Fox (George), Fox (Gregor), Gourley, Goldthorp, Hayden, Holliday, Kernan, McCandless, Negley, O'Neill (Eugene M.), Perry, Ray, Sawyer, Schild, Stouff, Weldon, Welsh, and President Gross.

In the absence of the President, Mr. Aiken was called to preside.

Mr. Powers moved

To dispense with the reading of the minutes.

Which motion prevailed.

Mr. Weldon

Announced the death of his colleague from the 15th ward, Mr. Stephen Dietrich, and presented the following:

[556] Whereas, God, in his infinite wisdom, has seen fit to remove from our midst, by death, our late fellow member from the 15th ward, Stephen Dietrich, and

Whereas, The deceased has been an honorable and upright member of this, the Select branch of City Council, whose public life has commanded the respect and confidence of his fellow citizens, therefore be it

Resolved, That we deeply lament the death of one whose warm and consistent friendship, charitable disposition and genial character endeared him to all with whom he was brought in contact.

Resolved, That we deeply sympathize with the family of the deceased in this the hour of their sad bereavement.

Resolved, That the members of this Council attend the funeral of deceased in a body.

Which were read and passed by a rising vote.

Mr. Littell, by leave,

[557] The resignation of John T. Denniston as a member of Select Council from the 21st ward,

Which was read and accepted.

Also, the following,

[558] Resolved, That the Mayor be and he is hereby authorized to issue his proclamation for the election of a member of Select Council, in the stead of John T. Denniston, of the 21st ward, resigned, at the time of the election in February next.

Which, the rule being suspended, was read three times and passed.

Mr. Duff (C. P.) the following,

[559] Whereas, The Mayor of Philadelphia, at a recent meeting of the Councils of that city, presented a message setting forth his reasons why a determined effort should be made on their part to secure the removal of the State Capital to the building known as "Memorial Hall," and situated on the grounds where the Centennial Exposition was held; and

Whereas, Philadelphia has always had or controlled the lion's share of all State appropriations and appointments, such share and control being largely in excess of what she is entitled to by reason of her population and taxable property; and

Whereas, The contemplated change of the State Capital will involve the expenditure of millions of the people's money to benefit Philadelphia and her citizens; therefore be it

Resolved, That as the balance of this State, Pennsylvania, is not a suburb of Philadelphia, we earnestly request our representatives at Harrisburg to oppose all attempts to saddle the people of the State with the cost of such removal.

Resolved, That if the indications are such as lead our representatives to believe that legislation to effect the removal will be asked for at this or any subsequent meeting of the Legislature, we now request them to take immediate and proper steps to create the new State of West Pennsylvania.

Which were read and passed.

Mr. Kerr, from the Ordinance Committee, affirmatively,

[S. C. bill No. 523] An Ordinance entitled "An Ordinance fixing the salary of the Mayor."

Which was read.

And the rule being suspended, the bill was read a second time.

Mr. Hunter moved

To amend the bill by fixing the salary of the Mayor at "four" in the place of "six thousand dollars."

Which did not prevail.

And the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Brown (S. S.), Bruce, Carr, Duff (C. P.), Epping, Evans, Froehlich, Geiger, Herron, Hunter, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Powers, Reiman, Rodgers, Rolfe, Schwarm, Shipton, Taylor, Vierheller, Weldon—37

Noes—Messrs. Jeremy, Sorg—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Evans, by leave, called up

[C. C. bill No. 354] An Ordinance entitled "An Ordinance changing the width of Sylvan avenue extension."

S. C. December 4th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Brown (S. S.), Bruce, Carr, Duff (C. P.), Evans, Froehlich, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Powers, Reiman, Rodgers, Rolfe, Schwarm, Sorg, Taylor, Vierheller, Waring, Weldon

—37.
Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Duff (C. P.) called up

[C. C. bill No. 129] An Ordinance entitled "An Ordinance to regulate taverns and all other houses for public entertainment, ale and porter shops and houses, and other places for habitual resort, for the purpose of tipping or intemperance."

Which was read.

And the rule being suspended, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Brown (S. S.), Bruce, Buckley, Carr, Duff (C. P.), Epping, Evans, Froehlich, Geiger, Herron, Hunter, Jeremy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring

—38.
Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Jeremy, the following,

[560] Whereas, There is an Act of Assembly relating to pawnbrokers in the city of Philadelphia, which provides for the proper pawning of all articles at a fair rate of interest, and the advertising of all articles prior to sale, &c.

Resolved, That the Legislature be and is hereby requested to have said Act of Assembly extended to cities of the second-class, and that a copy of this resolution be forwarded by the clerk of Councils to our members of the Legislature.

Which was read and passed.

Mr. Herron, the following,

[561] Resolved, That the use of "Old City Hall" be granted to Francis Murphy for two weeks, from the second day of January, A. D. 1877, for the purpose of holding Temperance meetings under the auspices of the Y. M. T. U. of Pittsburgh, provided, that it does not interfere with any arrangement made by the Superintendent of Markets for renting the same during the period mentioned.

Which was referred to the Market Committee.

Mr. Kerr, from the Special Committee, affirmatively,

[S. C. bill No. 562] An Ordinance entitled "An Ordinance fixing the salary of the message clerk of Councils."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Brown (S. S.), Bruce, Buckley, Carr, Duff (C. P.),

Epping, Evans, Froehlich, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Rodgers, Rolfe, Schild, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring—39.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Also, from the Ordinance Committee, affirmatively, [C. C. bill No. 40] An Ordinance entitled "An Ordinance changing the place of holding elections in the First Precinct of 3d ward."

Which was read.

And the rule being suspended, the bill was read a second and a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Epping, Evans, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Reiman, Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring

—37.
Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Herron called up

[C. C. bill No. 406] An Ordinance entitled "An Ordinance authorizing the grading and paving of the unimproved portions of Exchange alley, from Fourth street to Fifth street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclay, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Epping, Evans, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring

—37.
Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Aiken (Mr. Bruce in the chair) presented the following:

[563] Whereas, The term of office of our esteemed President, Dr. A. H. Gross, member from the 20th ward, expires with this Centennial year, and,

Whereas, On account of serious and continued illness he has been prevented from occupying the chair during the last several months, and consequently declined a re-election, therefore,

Resolved, That we regret his illness and separation from us and that we trust his health may be speedily restored.

Resolved, That he was ever faithful, attentive, courteous and impartial in the discharge of the duties of his office, and that our thanks are eminently due and are hereby tendered him for the manner in which he discharged his duties, and the interest he manifested in public affairs, and the best interests of the city generally.

Which were read.

Mr. Aiken, seconded by **Mr. Kerr**, moved

The passage of the preambles and resolutions.

Which motion prevailed.

[C. C. No. 494] Resolution authorizing the Controller to issue his certificates on the Mayor for warrants in favor of the Police Department to the amount of \$3,000, and charge App. No. 3, Printing.

Which, the rule being suspended, was read three times and passed.

[C. C. No. 496] Resolution authorizing the City Treasurer to allow exonerations of over assessed taxes.

Which, the rule being suspended, was read three times and passed.

[C. C. Nos. 472 and 495] Resolutions authorizing the refunding of overpaid taxes.

Which, the rule being suspended, were read three times and passed.

Mr. Geiger, from the Committee on Appeals, presented.

[564] A report covering and recommending the passage of the accompanying resolutions.

Which was read and accepted.

Also,

[565] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for warrants in favor of the following parties, for refunding overpaid taxes, and charge the same to the Contingent Fund.

George Fox, 17th ward..... \$19 80
John Boyd, 7th..... 23 62
Shepherd Walters, 23d ward..... 54 38
Louis Berkowitz, 14th..... 5 16

Which was read.

And the rule being suspended, the resolution was read a third time and passed.

Also,

[566] Resolved, That the City Treasurer be and he is hereby authorized and directed to allow exonerations of taxes to the following named persons, for the amount set opposite their names, respectively:

Name.	Ward.	City Tax.	W. W. Int.	Fire.	S. F.	Special.
1st Ref. Pres. Ch.	3	\$18 80	\$ 7 83	85 17	84 70	\$3 52
Dodson, Burt & Co.	18	7 00	2 91	1 92	1 75	
Lindsey, Murray & Co.	1	12 00	5 00	3 30	3 00	2 25
C. W. Sloan.	14	7 32	3 05	2 01	1 83	
W. W. Wallace.	3	39 60	16 50	10 89	9 90	7 42

Which was read.

And the rule being suspended, was read a third time and passed.

Mr. Kennedy, by leave, called up

[S. C. bill No. 370] An Ordinance entitled "An Ordinance authorizing the grading, paving and curbing of Pride street, from Bluff street to Quince alley."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclkey, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Hunter, by leave, called up

[S. C. bill No. 292] An Ordinance entitled "An Ordinance authorizing the opening of Reed street, from Overhill street to Dinwiddie street."

December 4th, failed to pass for want of a legal majority.

And on the question, "Shall the bill pass finally?"

the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclkey, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. MacConnell, from the Road Committee, affirmatively.

[C. C. bill No. 424] An Ordinance entitled "An Ordinance authorizing the construction of a sewer on Beech alley and Seneca street, from Gist street to Forbes street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclkey, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Rodgers, Rolfe, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Sorg, by leave, called up

[C. C. bill No. 451] An Ordinance entitled "An Ordinance granting Elizabeth McConaghey the privilege to erect a frame addition to her building on Butler street, 15th ward."

December 11th, read a third time and final action postponed.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Barclkey, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Geiger, Hunter, Jeremy, Kennedy, Kerr, Lagerman, Lappan, Littell, Meyer, Miller, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Nusser, O'Neil (John), Rodgers, Schwarm, Shipton, Sorg, Taylor, Vierheller, Waring.

Noes—Mr. Rolfe.

Before the result of the voting was announced, Mr. Rolfe asked and obtained leave to change his vote from "no," to "aye," and the ayes were thirty-six, noes none.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Duff (C. P.) presented

[566] Whereas, The fire under Herron's Hill, in the 13th ward, which has been burning for a number of years, and which had the attention of Councils about one year ago, is still burning and spreading along Ridge street, therefore, be it

Resolved, That the Water Committee be and they are hereby authorized and directed to take steps to extinguish the fire, before the Reservoir walls and bottom begin to yield.

Which was referred to the Water Committee.

Mr. Littell moved

That when Council adjourn, it adjourn to meet on Thursday, December 28th, at 2 o'clock P. M.

Which motion prevailed.

Mr. Herron presented

[567] Petition of Robert Leonard, for a reduction of taxes.

Which was referred to the Committee on Appeals.

Mr. Sorg, by leave, called up

[C. C. bill No. 451] An Ordinance entitled
"An Ordinance granting Elizabeth McConaghey privilege
to erect a frame building on Butler street, 15th
ward.

Failed to pass finally this day for want of a legal
majority.

And on the question, "Shall the bill pass finally?"
the ayes and noes were taken, agreeably to law, and
were:

Ayes—Messrs. Aiken, Barckley, Brown (L. T.),

Bruce, Buckley, Carr, Duff (J. K. P.), Epping, Evans,
Geiger, Herron, Hunter, Jeremy, Kennedy, Kerr,
Lagerman, Lappan, Littell, Meyer, Miller, Moore,
Murray, MacConnell, McClurg, McGimpsey, McKin-
ley, Nusser, O'Neil (John), Rodgers, Rolfe, Schwarm,
Shipton, Sorg, Taylor, Vierheller, Waring—36.

Noes—None.

And a majority of the votes of Select Council not
being in the affirmative the bill did not pass finally.

And, on motion, Council adjourned.

attest

E. S. MORRISON

Ch

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

SATURDAY, DECEMBER 23, 1876.

No. 32.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY PRESIDENT.
GEO. BOOTH CLERK.

DECEMBER 23, 1876.

Council met pursuant to the following call :

GEO. BOOTH, ESQ.,

Clerk of Common Council.

SIR.—Next Monday being our last regular meeting day under the rules, and the same being a legal holiday, and no likelihood of obtaining a quorum thereat, you will therefore call a special meeting of Common Council for Saturday the 23d inst., at 2 P. M., for the purpose of transacting such business as may be lawfully brought before it, and especially of hearing reports of committees.

W. B. NEGLEY,

President Common Council.

Pittsburgh, Dec. 18th, 1876.

Which was read.

Present—Messrs. Dickson, Fox, Fritz, Fennerty, Foley, Hahn, Hagan, Hughes, Kerr, Lemer, Mears, McCafferty, Nantker, Neeb, Nisbet, Reynolds, Roth, Rott, Robeson, Thomson, Torrence, Voskamp, Wainwright, President Negley.

Absent—Messrs. Atcheson, Bell, Boucher, Clark, Coll, Conway, Dauler, Ferson, Helmold, Hogle, Kettenberg, Kirchner, Laughran, Moore, McClarran, Powers, Rahausser.

Mr. Thomson moved

That the reading of the minutes of the previous meeting be dispensed with.

Which prevailed.

Mr. Thomson presented the following :

[501] *To the Members of Common Council :*

Gentlemen—The time fixed by a previous resolution of Councils for the payment to the city of \$165,000 having elapsed without such payment being made, it seems proper to state that the failure to pay over the money was unavoidable. The delay chiefly arose through a difference of opinion between the counsel of the debtor and the City Attorney as to the terms and conditions of postponing certain mortgages. That difference of opinion has been removed, and the accompanying resolutions are, I believe, substantially such as meet the approval of the City Attorney, who

is, unfortunately, absent. The passage of the resolutions will, I have every reason to believe, result in the immediate payment to the city of a greater part of its claim, and the final payment of the balance in a very short time.

Respectfully yours,

GEO. SHIRAS, JR.

December 23d, 1876.

Which was read and received.

Also the following :

[502] Resolved, 1st, That the City Attorney be and he is hereby instructed and empowered to consent to the entry of such a decree or order in the District Court of the United States, as shall declare the proceedings in bankruptcy in the case of the Nation Trust Company fully ended and terminated.

2d, That James Veech and William B. Negley, trustees, are hereby requested to release or satisfy such of the securities in their hands, as may, on or before the 8th day of January, 1877, be fully paid.

3d, That the said trustees are hereby requested and empowered to postpone the lien of mortgages in their hands, in cases where other mortgages have been negotiated for the benefit of the creditors of the Nation Trust Company, so as to permit the latter mortgages to become first liens. Provided, however, and upon condition that the moneys thus accruing shall be at once distributed by the trustees among the creditors entitled to receive the same; and provided, also, that unless the dividend received by the city from that or other sources, shall, on or before the 8th day of January, 1877, amount to at least \$165,000, the trustees shall at once proceed to enforce payment of the securities in their hands by legal process.

Provided further, That the securities heretofore examined by a committee of the Finance Committee, and amounting to \$350,000, shall not be released or postponed by the trustees under the foregoing resolutions, unless on their receipt of such sums of money in the case of each security as shall be deemed adequate by the City Attorney, and upon condition that such moneys shall be forthwith, when and as received, paid over to the creditors.

4th. That nothing herein contained shall be construed as releasing or in anywise affecting the city's right to the entire sum of \$240,000, heretofore agreed to be taken for her claim against the Nation Trust Company. Not to waive or in any manner to affect the right of the city to rescind all resolutions of compromise at any time after the 8th of January, 1877.

Which was read, and the rule having been suspended, Mr. Thomson moved

The passage of the resolutions.

Mr. Reynolds moved (seconded by Mr. Rott)

That further action be indefinitely postponed.

On which a division was had, and the ayes were nine, and the noes were thirteen.

So the motion to indefinitely postpone did not prevail.

Mr. Neeb presented as a substitute, the following:

[503] Whereas, There is some doubt as to the power of the City Attorney accepting \$165,000, which should have been paid by the Nation Trust Company on account of its indebtedness, on or before

the 15th of December, 1876, according to the instructions given by the Councils of Pittsburgh; therefore, be it

Resolved, That the City Attorney be and he is hereby authorized and instructed to accept that amount, or any other amount, at the *earliest possible* moment, not later than January 8, 1877, in accordance with the last compromise, without any further compromises being entered into with the Nation Trust Company.

Which was read.

Mr. **Foley** moved

To amend by striking out the words "or any other amount."

Which was accepted.

Mr. **Hughes** moved

To lay the substitute on the table.

On which a division was had, and the ayes were 14 and the noes were 4.

So the substitute was laid on the table.

Mr. **Rott** moved

To lay the resolutions (No. 502) on the table.

On which a division was had, and the ayes were 13 and the noes were 8.

So the resolutions were laid on the table.

Mr. **Thomson** presented the following:

[504] Resolved, That the time fixed in the resolution of Councils authorizing the City Attorney to receive \$165,000 from the Nation Trust Company on account and for other purposes, be extended until January 8, 1877, and that the City Attorney be authorized to postpone the lien of the mortgages he was in said resolution authorized to release.

Which was read, and the rule having been suspended, was read a second and third time and finally passed.

Mr. **Thomson** moved

That when this Council adjourns, it does adjourn to meet on Friday, December 29th, 1876, at 2 P. M.

Which prevailed.

Mr. **Fox** presented the following:

[505] Resolved, That Common Council of the city of Pittsburgh, has received with profound sorrow, intelligence of the sudden death of Stephen Dietrich, a former member of this Branch, and a late member of Select Council from the 15th ward. That the deceased was possessed of many excellent qualities, which caused him to be esteemed by his many friends, and gained for him the confidence of his constituents. That the sympathy of the members is extended to the family of the deceased in this the hour of trial and affliction, and as a further tribute to his worth, Council attend the funeral.

Which was read, and was unanimously passed by a rising vote.

Also, the following:

[506] Whereas, The term of office of members of Common Council, for the year 1876, is about to expire, and it being fitting and appropriate at this time to manifest a further mark of esteem and regard for our worthy President, Maj. Wm. B. Negley, who has presided over the deliberations of this Branch with consummate good judgment and distinguished ability, therefore, be it

Resolved, That the thanks of the members of Common Council are due, and are hereby tendered Wm. B. Negley, who has proved himself to our entire satisfaction to be eminently qualified to discharge the important as well as the delicate duties of a presiding officer. That by his uniform courtesy, obliging disposition, and thorough impartiality, he has gained the well merited admiration and esteem of every member. That for the faithful and efficient discharge of his manifold duties, he is deserving of the commendation of his constituents.

Resolved further, That in leaving this hall we will carry with us many pleasant reminiscences of incidents which have occurred in this memorable and eventful year—the Centennial of the Nation—and that the ties of friendship that have been formed will be gratefully cherished.

Which were read and unanimously passed.

Mr. **Dickson** presented

[507] A resolution requesting the several Passenger Railway Companies to discontinue the use of salt for the removal of snow and ice from their tracks.

Referred to Committee on Ordinances.

Mr. **Neeb**, by leave, called up

[559 S. C.] Preamble and resolutions relative to the removal of the capital to Philadelphia, requesting the Representatives of Allegheny county to oppose said removal.

In S. C. Dec. 22d. Passed.

Which were read and passed.

Mr. **Nantker** presented

[508] Petition of Thomas Handlon for exoneration from payment of certain taxes, 30th ward. Referred to Board of Assessors.

Also,

[509.] Petition of Magaleine Rebholz for exoneration from payment, and refunding of certain taxes, 30th ward.

Referred to Board of Assessors.

Adjoined.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

THURSDAY, DECEMBER 28, 1876.

No. 33.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, December 28, 1876.

Council met pursuant to adjournment.

Present—Messrs. Ahl, Aiken, Atkinson, Barckley, Bates, Brown (L. T.), Bruce, Carr, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Fox (Geo.), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Herron, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), Ray, Reiman, Rodgers, Rolfe, Schild, Shipton, Sorg, Taylor, Weldon, Welsh.

Absent—Messrs. Brown (R. B.), Brown (S. S.), Buckley, Dannels, Darlington (H.), Epping, Evans, Felker, Foster, Hayden, Holliday, Hunter, Jeremy, Meyer, Miller, Nusser, O'Neil (John), Perry, Powers, Sawyer, Schwarm, Stouff, Vierheller, Waring, President Gross.

In the absence of the President, Mr. Aiken was elected President *pro tem*.

Mr. McClurg moved

To dispense with the reading of the minutes.

Which motion prevailed.

Council proceeded to the consideration of the business of Common Council on the desk.

[C. C. No. 5.] A resolution for a warrant in favor of the City Attorney for the sum of \$923.43, in payment of assessments against the city for construction of Forbes street sewer.

Which was read a third time and finally passed, the rule having been suspended.

[C. C. No. 79.] A resolution instructing the Mayor to enforce the ordinance relative to running railroad trains down Liberty street, below Tenth street, and the ordinance regulating the time to be occupied by trains in crossing Penn avenue.

Which was read and passed.

[C. C. No. 81.] A resolution directing the Mechanical Engineer of the new Water Works to report cost of drawings for machinery, boilers and rising mains of new water works.

Which was read and passed.

[C. C. No. 142.] Proposal of Mackintosh, Hemphill & Co. to erect engines at new water works, and to perform certain other work; and resolution directing the Water Committee to report upon the advisability of accepting the proposition.

Which was read.

Mr. Rolfe moved

To lay the paper on the table, which motion prevailed.

[C. C. 504.] Resolved, That the time fixed in the resolutions of Councils, authorizing the City Attorney to receive \$165,000 for the Nation Trust Company on account, and for other purposes, be extended until January 8th, 1877, and that the City Attorney be authorized to postpone the lien of the mortgages he was in said resolutions authorized to release.

Which was read.

Mr. Herron moved

To suspend the rule to allow the third reading and final passage of the resolution.

Which motion prevailed.

And the resolution was read a second time.

Mr. O'Neill (E. M.) moved the adoption of the following as a substitute for the resolution:

[569] Resolved, That the Nation Trust Company stockholders having failed to carry out the arrangement of compromise on the \$240,000 basis, the said compromise be declared off, and the matter restored to its original shape.

And on the question, "Shall the substitute be entertained?" the ayes and noes were demanded by Mr. O'Neill (E. M.)

And the demand being sustained, the ayes and noes were ordered, and being taken were:

Ayes—Messrs. Atkinson, Barckley, Geiger, Kernan, Lagerman, Murray, McClurg, O'Neill (E. M.), Rodgers, Schild, Shipton, Sorg—12.

Nays—Messrs. Aiken, Bates, Brown (L. T.), Bruce, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Fox (Geo.), Fox (Gregor), Froehlich, Gourley, Goldthorp, Herrood, Kennedy, Kerr, Lappan, Littell, Moore, McCandless, MacConnell, McGimpsey, McKinley, Negley, Ray, Rolfe, Weldon, Welsh—27.

So the motion was decided in the negative.

Mr. Duff (J. K. P.) moved

The adoption of the following as a substitute for the resolution:

[570] Resolved, That the City Attorney be instructed to assent, so far as the city is concerned, to the proceedings in bankruptcy being declared ended, and also to notify the trustees, James Veech and Wm. B. Negley, to postpone the lien of securities in their hands to the amount of \$150,000, so as to permit mortgages with third parties to be made first liens, upon the condition that the money so raised shall be forthwith applied, first to the payment of all the outstanding creditors, say \$65,000, and the balance to the city, and that all the securities remain for the security of the city, and upon the further condition that such of the stockholders as the City Attorney may name shall guarantee, in writing, the final payment to the city within six months; and also upon condition that the trustees are to proceed at once in the enforcement of the securities in their hands, first exhausting those suggested by the attorneys of the Nation Trust Company, and amounting to \$350,000.

Mr. McGimpsey moved

To lay the motion to substitute on the table.
The Chair ruled,
That the tabling of the substitute would not carry the original resolution with it.
And on the motion to lay the motion to substitute on the table, a division was had, and there were twenty-six ayes and nine noes, so the motion prevailed.

Mr. **Shipton** moved
To lay the resolution on the table.
Which was negatived.

And the resolution was read a third time.
And on the question, "Shall the resolution pass finally?" the ayes and noes were demanded by Mr. **Shipton**, and the demand being sustained were ordered to be taken, and were:

Ayes—Messrs. Aiken, Bruce, Duff (C. P.), Duff (J. K. P.), Fox (Geo.), Fox (Gregor), Froehlich, Goldthorp, Herron, Kennedy, Kerr, Lappan, Moore, McCandless, MacConnell, McGimpsey, McKinley, Negley, Ray, Weldon, Welsh—21.

Nays—Messrs. Atkinson, Barclay, Bates, Brown (L. T.), Darlington (B.), Geiger, Kernan, Lagerman, Murray, McClurg, O'Neill (E. M.), Rodgers, Rolfe, Schild, Shipton, Sorg—16.

And there not being two-fifths of the votes of Select Council in the affirmative, the resolution did not pass finally.

The **President** presented
[571] A communication from the Chamber of Commerce, covering the following:

SAFETY OF PUBLIC BUILDINGS

Gentlemen—The committee appointed by the board at its last meeting to inquire into the duties and powers of the Building Inspector of this city in regard to securing the safety of public halls and places of amusement, and also as to the duties of the Fire Marshal of the county in regard to the safety of buildings generally, beg leave to report that they have found in the laws of Pennsylvania the following provisions bearing upon the matters.

DUTIES OF THE BUILDING INSPECTOR.

In an Act of Assembly No. 415, approved March 14, 1867, for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburgh and Allegheny, the following sections will be found:

SEC. 1. That it shall not be lawful for the owners or lessees of any public hall or place of amusement, in the city of Philadelphia, to obstruct, or to allow to be obstructed by others, any of the aisles or passage ways in the auditorium of said halls or places of amusement, by placing therein any benches, chairs, stools or other articles, that may prevent free egress or ingress during the hours that said places may be open to the public.

SEC. 2. That said owners, lessees, or their agents, are hereby required to keep open, at all hours during the said halls or places of amusement are open to the public, all doors giving means of ingress or egress, unless said doors open outward from said places, then the same may be closed; but no hindrance, such as locks or catches of any kind, shall be allowed to obstruct or prevent instant and easy egress through the same; and when said doors open inwards, it is required of said owners, or lessees, that the same be fastened securely open.

SEC. 3. That in addition to the requirements of this act, the owners and lessees of all theatres and all similar places of amusement, are required, at all hours during the time said places are open to the public, to keep attached to a plug or water attachment, to be furnished by them for that purpose, sufficient hose of the size used by the fire companies of the city to extend to the furthest limits of said places of amusement, and that said hose shall be kept, at all times, in good repair, and ready at all times during the said hours for immediate use.

SEC. 4. That a penalty of five hundred dollars be imposed upon any owners or lessees of any of said public halls or places of amusement who may, at any time, violate any of the provisions of this act, to be recovered in like manner as penalties for violation of any law are now enforced in the city of Philadelphia.

SEC. 5. That the Building Inspectors of the city of Philadelphia are hereby authorized and required to carry out the provisions of this act, and shall, on complaint of any citizen of said city of the violation of any of its provisions, bring suit for the recovery of the penalty imposed for said violation; and one-half of said penalty, when enforced, to be paid to the informer, and one-half to the treasurer of the fund for the relief of disabled firemen, for the benefit of said fund.

SEC. 6. That all the provisions of the above act shall also apply to the cities of Pittsburgh and Allegheny.

And from another Act of Assembly No. 605, approved March 28, 1870, relative to the duties of the Inspector of Buildings in the city of Pittsburgh, and which refers to the act of March 14, 1867, the following extract is made:

SECTION 1. That it shall be the duty of the Inspector of Buildings of the city of Pittsburgh to enforce the provisions of the Act of Assembly of the Commonwealth of Pennsylvania, entitled "An act for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburgh and Allegheny," approved March 14, 1867, so far as relates to buildings in said city of Pittsburgh; and all the power and duties relating to said buildings, conferred upon the City Regulator by the first named act, are hereby transferred to and conferred upon said Inspector of Buildings."

DUTIES OF THE FIRE MARSHAL.

We also find that by a supplement, No. 1,081, to an act to provide for the appointment of a Fire Marshal for the county of Allegheny, and approved April 14, 1870, that the power and duties of the Marshal are largely increased, as will be seen by the following extracts, viz:

SEC. 2. It shall be the duty of the Marshal and his deputies to examine the dwelling houses and other buildings in said county, for the purpose of ascertaining whether the stoves and pipes thereto, boilers, kettles, and also all chemical apparatus which in their opinion may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and upon finding any of them defective or dangerous, said Marshal or his deputies shall direct the owner or occupant, either by printed or written notice, to alter, remove or amend the same, in such manner, or within such reasonable time as they may deem necessary; and in case of neglect or refusal to do so, the party offending shall forfeit and pay, upon conviction thereof before any mayor or justice of the peace of said county, any sum not exceeding twenty-five dollars, for use of said county, to be collected as fines and forfeitures are now collected by law.

SEC. 3. And said Marshal or his deputies, or either of them, are hereby empowered, at any and all times, to enter into and examine all buildings, livery or other stables, hay boats or other vessels, and places where gunpowder or other combustible materials may be lodged, and give such directions, in writing, in the premises as may be deemed necessary, relative to the removal thereof; and in case of neglect or refusal on the part of the possessors of such combustible materials, or any of them, to remove or secure the same within the time and manner directed, the party offending shall forfeit and pay, in addition to any penalty hereinbefore imposed, the sum of twenty-five dollars, to be collected as heretofore provided for in this act.

RECOMMENDATIONS.

With the powers and authority which the foregoing recited Acts of Assembly invest in the city and county officials named, we would, in view of the recent ap-

pulling calamity which has fallen on the city of Brooklyn, most respectfully and earnestly recommend to the Building Inspector and Fire Marshal a thorough and searching examination of all places of public assemblage, and other properties where danger is likely to occur, and to demand and enforce a vigorous compliance with the requirements of the laws referred to.

In connection with this subject we would recommend a supplement to the act No. 415 in relation to public halls and places of amusement—so as to absolutely require that all the doors of egress from public halls, places of amusement, churches and school houses, now constructed, or to be constructed, shall open outwards, instead of inwards, as a majority of them do at present.

In large assemblages panics are liable to occur from many, and sometimes trifling causes other than that occasioned by fire; as we have on record divers instances where many lives have been lost and much bodily injury sustained by the rush of an excited and alarmed assemblage, who find their retreat cut off from the building from the circumstance of the doors opening inwards, thus shutting them up in a trap, and rendering the frightened audience utterly unable to escape without wounds, broken limbs or a horrible death. We earnestly appeal to those having authority to take this matter in hand at once, so that we may be spared from scenes similar to that of Brooklyn, if laws with suitable penalties will have any effect.

We would also recommend as a supplement to the act of March 14, 1859, making it obligatory on the owners and lessees of all large manufactories of two or more stories, and on the directors of schools, when the building has two or more stories, that a sufficient number of fire escapes be attached to the outside of the building, to insure a safe mode of egress in the event of fire or fright.

In conclusion, we would recommend to all citizens who have an interest in the general welfare of the community, to afford ready aid and acquiescence in the efforts of the Inspector and Marshal in their endeavors to abate all dangerous nuisances that endanger the public safety.

All of which is respectfully submitted.

CHARLES MEYRAN,
ARTHUR KIRK,
N. GRATTAN MURPHY.

PITTSBURGH, December 18, 1876.

Which was read, accepted and ordered to be filed.

[S. C. No. 339.] Resolution for the payment of damages caused by the grading of Sylvan avenue, to John Parkinson *et al.*

September 25th, action postponed.

On motion of Mr. Shipton, it was referred to the Board of Viewers of Street Improvements.

The President presented the following:

[572] TO THE SELECT COUNCIL—Gentlemen: The assessment for the opening of School alley was referred to me some time since by your Council. It is herewith returned, with the suggestion that it should be approved. I am unable to discover any good reason why it should not be approved.

Respectfully, THOS. S. BIGELOW,
City Attorney.

Which was read and accepted.

[572] Report of the Board of Viewers on the damages caused by the opening of School alley, from Davidson street to Sherman street.

Which was read and approved.

[C. C. Bill No. 401.] An Ordinance entitled, "An Ordinance granting to Joseph Keeling the privilege to use dummy engines on his coal railroad on Twenty-first street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Barclay, Bates, Bruce, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Fox (George), Fox (Gregor), Geiger, Gourley, Goldthorp, Kennedy, Lagerman, Lappan, Littell, Moore, Murray, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), Reiman, Rolfe, Shipton, Sorg, Taylor, Weldon, Welsh—32.

Noes—Messrs. Carr, Kernan—2.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. Bill No. 420.] An Ordinance entitled, "An Ordinance repealing an Ordinance entitled, 'An Ordinance authorizing the construction of a sewer on Locust alley, from Meyram avenue to Ravine street,' passed September 24, 1875."

December 11th failed to pass finally for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Bruce, Carr, Darlington (B.), Duff (C. P.), Duff (J. K. P.), Fox (George), Fox (Gregor), Froehlich, Geiger, Gourley, Goldthorp, Herron, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), Reiman, Rodgers, Rolfe, Shipton, Sorg, Taylor, Weldon, Welsh—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Shipton (Mr. Kennedy in the chair) presented,

[573] Resolved, That the thanks of this Council are hereby tendered to David Aiken, Esq., for the very efficient and courteous manner in which he has discharged the duties of presiding officer on the various occasions when called to the chair in the absence of Dr. Gross.

Which was read and passed.

[S. C. Bill 458.] An Ordinance entitled "An Ordinance authorizing the assessment of damages and benefits caused by the grading of Sarah street, from Thirtieth street to the city line."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Bruce, Carr, Darlington (B.), Duff (C. P.), Fox (George), Froehlich, Geiger, Gourley, Goldthorp, Herron, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), Reiman, Rodgers, Rolfe, Shipton, Sorg, Taylor, Weldon, Welsh—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. Bill No. 402.] An Ordinance entitled "An Ordinance establishing the grade of Bluff street, from Pride street to Stevenson street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Atkinson, Barclay, Bates, Bruce, Carr, Darlington (B.), Duff (C. P.), Fox (Geo.), Fox (Gregor), Geiger, Gourley, Goldthorp, Herron, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neill (E. M.), Reiman, Rodgers, Rolfe, Shipton, Sorg, Taylor, Weldon, Welsh—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. Bill No. 294.] An Ordinance entitled "An Ordinance establishing the width of the sidewalks on Cliff street, between Gum and Cassatt streets."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Aiken, Atkinson, Barckley, Bruce, Carr, Darlington (B.), Duff (C. P.), Fox (Geo.), Fox (Gregor), Geiger, Gourley, Goldthorp, Herren, Kennedy, Kernan, Kerr, Lagerman, Lappan, Littell, Moore, Murray, McCandless, MacConnell, McClurg, McImpsey, McKinley, O'Neill (E. M.), Reiman, Rodgers, Rolfe, Shipton, Serg, Weldon—33.

Noes—Mr. Bates—1.

Before the result of the voting was announced, Mr. Bates asked and obtained leave to change his vote from "no" to "aye," and the ayes were thirty-four, and the noes were none.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Littell moved

That when Council adjourn, it adjourn to meet on Thursday, January 4th, at two o'clock P. M.

Mr. Gourley moved

To amend by fixing the day Saturday, January 6th. Which was negatived.

Mr. Goldthorp,

To amend "to meet at the call of the President," Which was negatived.

And the original motion prevailed.

And, on motion,
Council adjourned.

Attest

E. M. ORROW

CLK

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

FRIDAY, DECEMBER 29, 1876.

No. 34.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, December 29, 1876.

Council met pursuant to adjournment.

Present—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hagan, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Roth, Thomson, Torrence, Voskamp, Wainwright, President Negley.

Absent—Messrs. Bell, Boucher, Clark, Coll, Dickson, Foley, Hahn, Helms, Hogle, Hughes, Kirchner, Laughran, Lemer, Moore, McCafferty, Powers, Reynolds, Rott, Robeson.

On motion of Mr. Atcheson the reading of the minutes was dispensed with.

BUSINESS FROM SELECT COUNCIL.

[423 C. C.] Entitled, "An Ordinance authorizing the Road Committee to enter into a contract with the Pittsburgh Gas Company, and directing the change of grade therein provided for."

In S. C., December 11, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hagan, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—22.

Noes—none.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[523 S. C.] Entitled, "An Ordinance fixing the salary of the Mayor."

In S. C., December 22, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—21.

Noes—Mr. Hagan—1.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.

Mr. Dauler moved

To reconsider the action just had on S. C. bill No. 523.

Which motion prevailed.

And the question recurring, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hagan, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—22.

Noes—none.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[424 C. C.] Entitled, "An Ordinance authorizing the construction of a sewer on Beech alley and Seneca street, from Gist street to Forbes street."

In S. C., December 22, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hagan, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—22.

Noes—none.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[505 S. C.] Resolution for warrants for refunding of over-paid taxes.

In S. C., December 22, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[506 S. C.] Resolution granting sundry exonerations from payment of over-assessed taxes.

In S. C., December 22, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[509 S. C.] Resolution authorizing the Mayor to issue his proclamation for an election of member of Select Council from 21st ward.

In S. C., December 22, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[504 S. C.] Report from Committee on Appeals, covering resolution for refunding and exoneration of certain taxes.

In S. C., December 22, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[533 S. C.] Report from the Committee on Finance, covering a resolution for warrant in payment of claim of R. R. Reno.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[534 S. C.] Resolution for a warrant in favor of R. R. Reno, for building boardwalk on Yard's alley.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[440 C. C.] Entitled, "An Ordinance changing the place of holding elections in the first precinct of the 3d ward, Pittsburgh."

In S. C., December 22, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Fer-on, Hagan, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausen, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—22.

Noes—none.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[548 S. C.] Resolution for the erection of public gas lamps by the East End Gas Company.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[547 S. C.] Resolution for the erection of a public gas lamp by the Pittsburgh Gas Company.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[546 S. C.] Resolution for the erection of a public gas lamp by the West Pittsburgh Gas Company.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[531 S. C.] Communication from the Finance Committee, covering resolution for the payment of viewers on construction of bridge over Four Mile run, on Sylvan avenue.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[491 S. C.] Resolution for warrants in favor of Jas. D. Kelly, H. E. White and J. M. Hoe, for eighty dollars each, for services as viewers in assessing the cost of construction of Sylvan avenue bridge.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[532 S. C.] Communication from the Finance Committee covering resolution refunding over-paid tax to Life Insurance Companies.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[431 C. C.] Resolution for warrant in favor of the Security Life Insurance Company, for the sum of \$60.95, for refunding taxes erroneously assessed.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[147 S. C.] Resolution for warrants in favor of the Aetna Life Insurance Company, and of the Mutual Benefit Life Insurance Company, for the amount of tax paid by said Companies for the year 1874, under a misapprehension.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[535 S. C.] Communication from the Finance Committee, recommending the payment of claim of Wm. McAdams, for damages caused by the grading of Madison street.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[536 S. C.] Resolution for a warrant in favor of Thomas S. Bigelow, City Attorney, for payment of damages done to the property of Wm. McAdams, caused by the grading of Madison street.

In S. C., December 11, 1876, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[503 S. C.] Entitled, "An Ordinance granting Alexander McClure & Co., the right to erect an iron-clad shed."

In S. C., December 11, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hagan, Kerr, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausen, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—22.

Noes—none.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[537 S. C.] Report of the Water Committee for October.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[538 S. C.] Report of the Water Committee for November.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[550 S. C.] Report of Committee on Roads for October.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[551 S. C.] Report of Committee on Roads for November.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[541 S. C.] Report of the Committee on Markets for October.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[540 S. C.] Report of Committee on City Property for October.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[539 S. C.] Report of Committee on City Property for November.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[542 S. C.] Report of Committee on Markets for November.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[545 S. C.] Report from Committee on Gas Lighting.

In S. C., December 11, 1876, read and accepted.

In which action C. C. concurred.

[560 S. C.] Resolution asking the extension of Pawn Brokers' Act of Philadelphia, to second-class cities.

In S. C., December 22, 1876, passed finally.

Which was read.

Mr. Fox moved

To lay the resolution on the table.

Which, on a division being had, prevailed by a vote of 12 ayes to 4 noes.

[562 S. C.] Entitled "An Ordinance fixing the salary of the Message Clerk of Councils.

In S. C., December 22d, 1876, passed finally.

Which was read.

And the rule being suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Conway, Dauler, Fox, Fritz, Fennerty, Ferson, Hagan, Kettenberg, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausen, Roth, Thomson, Torrence, Voskamp, Wainwright, Negley—21.

Noes—Mr. Kerr—1.

And there not being a majority of the votes of Common Council in the affirmative, the bill failed to pass.

Mr. Neeb, by leave, presented the following:

[510] Resolved, That when this Council adjourns, it does adjourn to meet at 2 P. M. on Friday, January 5th, 1877.

Which was read and passed.

The **Chair** presented the following:

[511] Resolved, That the City Controller be and is hereby authorized to issue his certificate for warrants in favor of Charles W. Seanor, page of C. C., for seven dollars, and Willie H. Sims, page of S. C., for eleven dollars, in full for services rendered, and charge Appropriation No. 13, Contingent Fund.

Which, the rule having been suspended, was read three times and finally passed.

UNFINISHED BUSINESS OF C. C.

[464 C. C.] Entitled "An Ordinance fixing the salary of the Message Clerk of Councils."

In C. C., December 11th, amended.

Which was read.

Mr. **Neeb** moved

To indefinitely postpone action.

Which prevailed.

The **Chair** presented the following communication:

Major W. B. Negley, President of Common Council of the City of Pittsburgh:

Dear Sir—In compliance with the instruction of the Board of Directors of the Chamber of Commerce, I enclose you copy of the report of the Committee appointed by the Board, to report on the power and duties of the Building Inspector of the city, and of the Fire Marshal of Allegheny county, and respectfully ask that you will have the report read at the next meeting of Common Council. Yours respectfully,

GEORGE A. KELLY,
Secretary.

The following is the report:

SAFETY OF PUBLIC BUILDINGS

Gentlemen—The committee appointed by the board at its last meeting to inquire into the duties and powers of the Building Inspector of this city in regard to securing the safety of public halls and places of amusement, and also as to the duties of the Fire Marshal of the county in regard to the safety of buildings generally, beg leave to report that they have found in the laws of Pennsylvania the following provisions bearing upon the matters.

DUTIES OF THE BUILDING INSPECTOR.

In an Act of Assembly No. 415, approved March 14, 1867, for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburgh and Allegheny, the following sections will be found:

SEC. 1. That it shall not be lawful for the owners or lessees of any public hall or place of amusement, in the city of Philadelphia, to obstruct, or to allow to be obstructed by others, any of the aisles or passage ways in the auditorium of said halls or places of amusement, by placing therein any benches, chairs, stools or other articles, that may prevent free egress or ingress during the hours that said places may be open to the public.

SEC. 2. That said owners, lessees, or their agents, are hereby required to keep open, at all hours during the said halls or places of amusement are open to the public, all doors giving means of ingress or egress, unless said doors open outward from said places, then the same may be closed; but no hindrance, such as locks or catches of any kind, shall be allowed to obstruct or prevent instant and easy egress through the same; and when said doors open inwards, it is required of said owners, or lessees, that the same be fastened securely open.

SEC. 3. That in addition to the requirements of this act, the owners and lessees of all theatres and all similar places of amusement, are required, at all hours during the time said places are open to the public, to keep

attached to a plug or water attachment, to be furnished by them for that purpose, sufficient hose of the size used by the fire companies of the city to extend to the furthest limits of said places of amusement, and that said hose shall be kept, at all times, in good repair, and ready at all times during the said hours for immediate use.

SEC. 4. That a penalty of five hundred dollars be imposed upon any owners or lessees of any of said public halls or places of amusement who may, at any time, violate any of the provisions of this act, to be recovered in like manner as penalties for violation of any law are now enforced in the city of Philadelphia.

SEC. 5. That the Building Inspectors of the city of Philadelphia are hereby authorized and required to carry out the provisions of this act, and shall, on complaint of any citizen of said city of the violation of any of its provisions, bring suit for the recovery of the penalty imposed for said violation; and one-half of said penalty, when enforced, to be paid to the informer, and one-half to the treasurer of the fund for the relief of disabled firemen, for the benefit of said fund.

SEC. 6. That all the provisions of the above act shall also apply to the cities of Pittsburgh and Allegheny.

And from another Act of Assembly No. 605, approved March 28, 1870, relative to the duties of the Inspector of Buildings in the city of Pittsburgh, and which refers to the act of March 14, 1867, the following extract is made:

SECTION 1. That it shall be the duty of the Inspector of Buildings of the city of Pittsburgh to enforce the provisions of the Act of Assembly of the Commonwealth of Pennsylvania, entitled "An act for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburgh and Allegheny," approved March 14, 1867, so far as relates to buildings in said city of Pittsburgh; and all the power and duties relating to said buildings, conferred upon the City Regulator by the first named act, are hereby transferred to and conferred upon said Inspector of Buildings."

DUTIES OF THE FIRE MARSHAL.

We also find that by a supplement, No. 1,081, to an act to provide for the appointment of a Fire Marshal for the county of Allegheny, and approved April 14, 1870, that the power and duties of the Marshal are largely increased, as will be seen by the following extracts, viz:

SEC. 2. It shall be the duty of the Marshal and his deputies to examine the dwelling houses and other buildings in said county, for the purpose of ascertaining whether the stoves and pipes thereto, boilers, kettles, and also all chemical apparatus which in their opinion may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and upon finding any of them defective or dangerous, said Marshal or his deputies shall direct the owner or occupant, either by printed or written notice, to alter, remove or amend the same, in such manner, or within such reasonable time as they may deem necessary; and in case of neglect or refusal to do so, the party offending shall forfeit and pay, upon conviction thereof before any mayor or justice of the peace of said county, any sum not exceeding twenty-five dollars, for use of said county, to be collected as fines and forfeitures are now collected by law.

SEC. 3. And said Marshal or his deputies, or either of them, are hereby empowered, at any and all times, to enter into and examine all buildings, livery or other stables, hay boats or other vessels, and places where gunpowder or other combustible materials may be lodged, and give such directions, in writing, in the premises as may be deemed necessary, relative to the removal thereof; and in case of neglect or refusal on the part of the possessors of such combustible materials, or any of them, to remove or secure the same within the time and manner directed, the party offending shall forfeit and pay, in addition to any penalty hereinbefore im-

posed, the sum of twenty-five dollars, to be collected as heretofore provided for in this act.

RECOMMENDATIONS.

With the powers and authority which the foregoing recited Acts of Assembly invest in the city and county officials named, we would, in view of the recent appalling calamity which has fallen on the city of Brooklyn, most respectfully and earnestly recommend to the Building Inspector and Fire Marshal a thorough and searching examination of all places of public assemblage, and other properties where danger is likely to occur, and to demand and enforce a vigorous compliance with the requirements of the laws referred to.

In connection with this subject we would recommend a supplement to the act No. 415 in relation to public halls and places of amusement—so as to absolutely require that all the doors of egress from public halls, places of amusement, churches and school houses, now constructed, or to be constructed, shall open outwards, instead of inwards, as a majority of them do at present.

In large assemblages panics are liable to occur from many, and sometimes trifling causes other than that occasioned by fire; as we have on record divers instances where many lives have been lost and much bodily injury sustained by the rush of an excited and alarmed assemblage, who find their retreat cut off from the building from the circumstance of the doors opening inwards, thus shutting them up in a trap, and rendering the frightened audience utterly unable to escape without wounds, broken limbs or a horrible death. We earnestly appeal to those having authority, to take this matter in hand at once, so that we may be spared from scenes similar to that of Brooklyn, if laws with suitable penalties will have any effect.

We would also recommend as a supplement to the act of March 14, 1867, making it obligatory on the owners and lessees of all large manufactories of two or more stories, and on the directors of schools, when the building has two or more stories, that a sufficient number of fire escapes be attached to the outside of the building, to insure a safe mode of egress in the event of fire or fright.

In conclusion, we would recommend to all citizens who have an interest in the general welfare of the community, to afford ready aid and acquiescence in the efforts of the Inspector and Marshal in their endeavors to abate all dangerous nuisances that endanger the public safety.

All of which is respectfully submitted.

CHARLES MEYRAN,
ARTHUR KIRK,
N. GRATTAN MURPHY.

PITTSBURGH, December 18, 1876.

Which was read.

Mr. FOX presented the following:

[512] Resolved, That a vote of thanks of the members is due, and the same is hereby tendered George Booth, Clerk of this Branch, for his uniform courtesy towards members, and for the faithful and efficient performance of his duties.

Which was read and passed unanimously.

Mr. Thomson presented, from the Street Committee, affirmatively,

[438 C. C.] Resolved, That the City Controller is hereby authorized to issue a warrant for \$52.50 to John O'Keefe, assignee of Henry A. Freyvogle, for castings delivered to the Butler street sewer.

Which, the rule having been suspended, was read a second and third time and finally passed.

Adjourned.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL. 9.

THURSDAY, JANUARY 4, 1877.

No. 35.

Municipal Record.

SELECT COUNCIL.

A. H. GROSS.....PRESIDENT.
E. S. MORROW.....CLERK.

PITTSBURGH, January 4th, 1877.

Council met pursuant to adjournment.

Present—Messrs. Ahl, Aiken, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Fox (Gregor), Geiger, Herron, Holliday, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neil (John), Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Taylor, Vierheller, Waring, Welsh.

Absent—Messrs. Atkinson, Barclay, Bates, Brown (S. S.), Danna, Darlington (B.), Darlington (H.), Foster, Fox, (George), Froehlich, Gaurley, Goldthorp, Hayden, Hunter, Lippman, Moore, Nusser, O'Neill (E. M.), Perry, Powers, Sawyer, Stouff, Sorg, Welsh, President Gross.

The reading of the minutes of the last meeting was dispensed with.

Council proceeded to the consideration of the unfinished business from Common Council.

[574 C. C.] Resolved, That the time fixed in the resolution of Councils authorizing the City Attorney to receive \$163,000 from the Nation Trust Company on account and for other purposes, be extended until January 8th, 1877, and that the City Attorney be authorized to postpone the lien of the mortgage as he was in said resolutions authorized to release.

S. C. Dec. 28th. Failed to pass for want of a legal majority.

Was finally passed.

[S. C. bill No. 369.] An Ordinance entitled, "An Ordinance granting W. H. Daly right to erect a frame building."

Failed for want of a legal majority December 11th.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (L. T.), Bruce, Carr, Epping, Evans, Fox (Gregor), Froehlich, Geiger, Herron, Holliday, Jeremy, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Taylor, Vierheller, Waring, Welsh.—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. bill No. 401.] An Ordinance entitled, "An Ordinance granting to Joseph Keeling the privilege to use dummy engines on his coal railroad, on Twenty-first street."

S. C. December 28th. Failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown (L. T.), Bruce, Epping, Evans, Fox (Gregor), Geiger, Herron, Holliday, Kennedy, Kernan, Lagerman, Littell, Meyer, Murray, MacConnell, McKinley, Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Taylor, Vierheller, Waring, Welsh.—31.

Noes—Messrs. Carr, Jeremy, Kerr, McCandless, McClurg, McGimpsey, Negley.—7.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Shipton.

[574.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Monongahela Wharf Department, for the sum of one hundred and forty-three dollars and thirty-three cents, upon Appropriation No. 3, Printing.

Which, the rule having been suspended, was read three times and passed.

Also,

[575.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Allegheny Wharf Department, for the sum of sixty-one dollars and sixty-six cents, upon Appropriation No. 3, Printing.

Which, the rule being suspended, was read a third time and finally passed.

Also,

[576.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Road Department, for the sum of five hundred and ninety-seven dollars and fifty cents, upon Appropriation No. 23, Surveys.

Which, the rule being suspended, was read a third time and finally passed.

Also,

[577.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of Road Department, for the sum of one hundred and eighty-seven dollars and eighty-seven cents, upon Appropriation No. 3, Printing.

Which, the rule being suspended, was read a third time and finally passed.

Also,

[578.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of the Salary Appropriation, for the sum of seventeen hundred and fifty dollars, upon Appropriation No. 7, Streets.

Which, the rule being suspended, was read three times and passed.

Also,

[579.] Resolved, That the City Controller be and he is hereby authorized to issue his certificate on the Mayor for a warrant in favor of City Property Committee, for the sum of three hundred and seventy-five dollars, upon Appropriation No. 3, Printing.

Which, the rule being suspended, was read three times and finally passed.

[C. C. bill No. 294.] Entitled "An Ordinance establishing the width of the sidewalks on Cliff street, between Gum and Cassatt streets."

Failed for want of a legal majority, December 28th.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (L. T.), Bruce, Buckley, Carr, Epping, Evans, Felker, Fox (Gregor), Geiger, Herron, Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, Ray, Reiman, Rodgers, Rolfe, Schild, Shipton, Taylor, Vierheller, Waring, Weldon—37.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[S. C. bill No. 334.] An Ordinance entitled "An Ordinance prohibiting the use of awning flaps." In S. C. November 27th. Failed for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (L. T.), Bruce, Carr, Duff (C. P.), Epping, Evans, Felker, Fox (Gregor), Geiger, Herron, Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, Ray, Rodgers, Rolfe, Schild, Shipton, Vierheller, Weldon—33.

Noes—Messrs. Buckley, MacConnell, O'Neil (John), Reiman, Taylor, Waring—6.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Littell presented

[580.] A resolution for the payment of the expenses incurred in the matter of the Butler street extension, amounting to \$2,600.38.

Which was read and referred to the Finance Committee.

Mr. Fox (Gregor), by leave, called up

[C. C. bill No. 401.] An Ordinance entitled "An Ordinance granting to Joseph Keeling the privilege to use dummy engines on his coal railroad on Twenty-first street."

Failed to pass this day for want of a legal majority.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Fox (Gregor), Geiger, Herron, Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McKinley, O'Neil (John), Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Shipton, Taylor, Vierheller, Waring, Weldon—38.

Noes—Messrs. Carr, McClurg, McGimpsey, Negley—4.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. bill No. 451.] An Ordinance entitled "An Ordinance granting Elizabeth McConaghey the privilege to erect a frame addition to her building on Butler street, 15th ward."

Failed to pass for want of a legal majority, December 22d.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Fox (Gregor), Geiger, Herron,

Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McClurg, McGimpsey, McKinley, Negley, O'Neil (John), Ray, Reiman, Rodgers, Rolfe, Schild, Schwarm, Taylor, Waring, Weldon—40.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

Mr. Bruce, by leave,

[581.] Resolved, That the City Controller be and he is hereby authorized and directed to issue his certificate on the Mayor for a warrant in favor of S. B. Cooper, for fourteen dollars, amount due him for postage and repairing Council clocks, and charge to Contingent Fund.

Which, the rule having been suspended, was read three times and finally passed.

[S. C. bill No. 347.] An Ordinance entitled, "An Ordinance establishing the width of the sidewalks and roadway of Bluff street, from Gist street to Shingiss street."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Epping, Evans, Felker, Fox (Gregor), Geiger, Herron, Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, MacConnell, McClurg, McKinley, Negley, O'Neil (John), Ray, Reiman, Rodgers, Rolfe, Schild, Taylor, Waring, Weldon—38.

Noes—None.

And a majority of the votes of Select Council being in the affirmative, the bill passed finally.

[C. C. bill No. 448.] An Ordinance entitled "An Ordinance authorizing the opening of Woodville avenue extension, from Washington pike to Shalersville, 35th ward."

Which was read.

And the rule being suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (L. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Evans, Felker, Fox (Gregor), Geiger, Herron, Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neil (John), Ray, Rodgers, Rolfe, Schild, Taylor, Waring, Weldon—35.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

Mr. Bruce, the following:

[582.] Resolved, That the thanks of the Select Council of Pittsburgh be and they are hereby extended to Mr. E. S. Morrow, for his faithfulness as clerk of the Council, and for his efficiency, kindness and courtesy in the discharge of his responsible duties.

Which was read and passed.

[C. C. No. 150.] Resolution for the extension of the Fire Alarm Telegraph to the Thirteenth ward. Common Council read three times and passed.

[C. C. No. 172.] Resolution for the opening of Forty-fifth street, in conformity with Ordinance relating to the same.

Common Council read three times and passed.

[C. C. No. 175.] Resolution instructing the City Engineer to notify passenger railroad companies to repair streets traversed by them.

Common Council read three times and passed.

[227 C C.] Resolution for a warrant in favor of Robert Ellis, for one hundred and fifty-eight dollars, for rebuilding sewer drops on Forty-second street.

Common Council read three times and passed.

[C. C. No. 306.] Resolution limiting the number of Assistant Water Assessors.

Select Council, May 29th, action postponed.

Was read a third time and finally passed.

[C. C. No. 322.] A resolution for the appointment of a special committee to confer with the railroad authorities in relation to the Thirty-third street bridge.

Common Council read three times and passed.

Mr. **Holliday** moved

To postpone action for the present.

Which prevailed.

[C. C. No. 326.] Resolution directing the Committee on City Property to purchase grappling hooks.

Common Council read three times and passed.

[C. C. No. 460.] Resolution requesting the Mayor to enforce the Ordinances relative to the cleaning of sidewalks.

Common Council read three times and passed.

[C. C. No. 481.] Dedication of property for an alley between Fifth avenue and Arabella street, from Shady lane to Denniston avenue.

Common Council read and accepted.

[C. C. No. 482.] Dedication of property for Arabella street, from Shady lane to Denniston avenue.

Common Council read and accepted.

[C. C. No. 497.] Communication from Finance Committee relative to the cost of improvement of Duquesne way.

Common Council read and received.

The following reports from Committees which, in Common Council, were read and received:

Reports from the Street Committee, C. C. Nos. 68, 179, 226, 291, 381, 399, 447, 489.

Committee on Surveys, C. C. Nos. 73, 133, 238, 411, 450.

Committee on Police, C. C. Nos. 74, 134, 188, 237, 306, 363, 412, 454.

Committee on City Printing, C. C. Nos. 75, 416, 417, 455.

Committee on Railroads, C. C. No. 98.

Committee on Monongahela Wharf, C. C. Nos. 189, 241, 307, 434.

Committee on Claims and Accounts, C. C. No. 136.
Committee on Appeals from City Assessments, C. C. No. 137.

The following reports:

[C. C. Nos. 97, 216.] From the Committee on Printing.

Common Council were read and approved.

[C. C. No. 205.] Report from the Centennial Committee.

Common Council read and adopted.

[C. C. No. 245.] Report from the Centennial Committee.

Common Council read and approved, so far as it relates to the increase of the Committee.

In all of which business from Common Council, Select Council concurred unless otherwise noted.

[C. C. No. 511.] Resolutions for warrants in favor of W. H. Sims and C. W. Seanor, pages of Councils.

Which, the rule having been suspended, was read three times and passed.

[C. C. bill No. 459.] An Ordinance entitled "An Ordinance authorizing the opening of Forty-seventh street, from the south side of the A. V. R. R. to the north side of the A. V. R. R."

Which was read.

And the rule being suspended, the bill was read a second and third time, and on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Ahl, Aiken, Brown (R. B.), Brown (I. T.), Bruce, Buckley, Carr, Duff (C. P.), Duff (J. K. P.), Felker, Geiger, Herron, Holliday, Kennedy, Kernan, Kerr, Lagerman, Littell, Meyer, Miller, Murray, McCandless, McClurg, McGimpsey, McKinley, Negley, O'Neil (John), Ray, Rodgers, Rolfe, Schwarm, Sorg, Taylor, Vietheller, Waring, Weldon—36.

Noes—None.

And a majority of the votes of Select Council not being in the affirmative, the bill did not pass finally.

On motion.

Council adjourned.

Attest

E. S. MARROW

Clk.

Municipal Record.

Proceedings of Select and Common Councils of the City of Pittsburgh.

VOL 9

FRIDAY, JANUARY 5, 1877.

No. 36.

Municipal Record.

COMMON COUNCIL.

W. B. NEGLEY.....PRESIDENT.
GEORGE BOOTH.....CLERK.

PITTSBURGH, January 5, 1877.

Council met pursuant to adjournment.

Present—Messrs. Atcheson, Dickson, Dauler, Fox, Fritz, Fennerty, Hahn, Hagan, Hughes, Kirchner, Laughran, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Torrence, Voskamp.

Absent—Messrs. Bell, Boucher, Clark, Coll, Conway, Ferson, Foley, Helmsold, Hogle, Kerr, Kettenberg, Lemer, Moore, McCafferty, Powers, Robeson, Thomson, Wainwright and President Negley.

In the absence of **President Negley, Mr. John A. Fox** was called to the Chair.

The minutes of the previous meeting were read and approved.

Mr. Rahausser presented

[513] A report from the Committee on Surveys covering a statement of their expenditures for the month of December, amounting to \$660.00.

Read and accepted.

Mr. Dickson presented

[514] Report from the Committee on City Printing, covering a statement of their expenditures for the month of December, amounting to \$630.98.

Read and accepted.

Mr. Neeb presented

[515] A report from the Committee on Police, covering a statement of their expenditures for the month of December, amounting to \$7,071.24.

Read and accepted.

UNFINISHED BUSINESS OF C. C.

[498 C. C.] Resolution authorizing the City Attorney to exonerate the property owners on Duquesne Way, from payment of one-half of the cost of the improvement of said Duquesne Way.

In C. C., December 11th, 1876, read.

Which was read a second time.

Mr. Nisbet moved

To lay the resolution on the table.

Which prevailed.

[562 S. C.] Entitled "An Ordinance fixing the salary of the Message Clerk of Councils."

In S. C., December 22d, 1876, passed finally.

In C. C., December 29th, 1876, failed for want of legal majority.

Which was read.

And the rule having been suspended, the bill was read a third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Dauler, Fox, Fritz, Fennerty, Hahn, Hagan, Hughes, Kirchner, Laughran, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Torrence, Voskamp—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

BUSINESS FROM SELECT COUNCIL.

[451 C. C.] Entitled "An Ordinance granting Elizabeth McConaghey the privilege to erect a frame addition to her building on Butler street, 15th ward."

In S. C., January 4th, 1877, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Dauler, Fox, Fritz, Fennerty, Hahn, Hagan, Hughes, Kirchner, Laughran, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Torrence, Voskamp—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[369 S. C.] Entitled "An Ordinance granting W. H. Daly right to erect a frame building."

In S. C., January 4th, 1877, passed finally.

Which was read.

And the rule having been suspended, the bill was read a second and third time.

And on the question, "Shall the bill pass finally?" the ayes and noes were taken, agreeably to law, and were:

Ayes—Messrs. Atcheson, Dickson, Dauler, Fox, Fritz, Fennerty, Hahn, Hagan, Hughes, Kirchner, Laughran, Mears, McClarran, Nantker, Neeb, Nisbet, Rahausser, Reynolds, Roth, Rott, Torrence, Voskamp—22.

Noes—None.

And a majority of the votes of Common Council being in the affirmative, the bill passed finally.

[579 S. C.] Resolution for a warrant in favor of the Committee on City Property, for the sum of three hundred and seventy-five dollars, to be charged to Appropriation No. 3, Printing.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and passed.

[581 S. C.] Resolution for warrant in favor of S. B. Cooper, for the sum of fourteen dollars, for postage stamps, &c.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and passed finally.

[578 S. C.] Resolution for a warrant in favor of the Salary Appropriation, for the sum of seventeen hundred and fifty dollars, to be charged to Appropriation No. 7, Streets.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and passed finally.

[576 S. C.] Resolution for a warrant in favor of the Road Department, for the sum of five hundred and ninety-seven dollars and fifty cents to be charged to Appropriation No. 23, Surveys.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and passed finally.

[575 S. C.] Resolution for a warrant in favor of the Allegheny Wharf Department, for the sum of sixty-one dollars and sixty-six cents, to be charged to Appropriation No. 3, Printing.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and passed finally.

[574 S. C.] Resolution for a warrant in favor of the Monongahela Wharf Department, for the sum of one hundred and forty-three dollars and thirty-three cents, to be charged to Appropriation No. 3, Printing.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

[577 S. C.] Resolution for a warrant in favor of the Road Department, for the sum of one hundred and eighty-seven dollars and eighty-seven cents, to be charged to Appropriation No. 3, Printing.

In S. C., January 4th, 1877, passed finally.

Which, the rule having been suspended, was read three times and finally passed.

Mr. **Nantker** presented

[576] Resolution for a flagstone crossing over High street, from the northerly corner of Ross street. Referred to Committee on Streets.

Adjourned.

APPENDIX.

(No. 1.)

AN ORDINANCE—Establishing the grade of the north curb of Denny street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Denny street be and is established as follows, to wit: Commencing at east curb of Thirty-fourth street, rising at a rate of seven feet per hundred to a point distant about 193 feet, intersecting the present established grade at apex.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed February 28th, 1876.

Approved March 6th, 1876.

Ordinance Book 4, page 181.

(No. 2.)

AN ORDINANCE—Locating Centre street, from Pearl to Winebiddle streets.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Centre street, from Pearl street to Winebiddle street, be and is hereby located as follows: Commencing at west side of Pearl street, thence running in a westerly direction in a straight line to east side of Winebiddle street, at a width of thirty feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed February 28th, 1876.

Approved March 6th, 1876.

Ordinance Book 4, page 181.

(No. 3.)

AN ORDINANCE—Establishing as a public wharf that portion of the river front of the south side of the Monongahela river, within the corporate limits of the city, lying between First and Sixth streets, and extending from low water line to the south line of Water street, and fixing the rates of wharfage for the use thereof.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the

authority of the same, That that portion of the river front of the south side of the Monongahela river, within the corporate limits of the city, lying between First and Sixth streets, and extending from the low water line to the south side of Water street, shall be and the same is hereby declared to be a public wharf, and there shall be charged for the use of the same the rates of wharfage now or hereafter fixed, as chargeable for the use of the other wharves of the city.

Passed February 28th, 1876.

Approved March 6th, 1876.

Ordinance Book 4, page 182.

(No. 4.)

AN ORDINANCE—Authorizing the construction of a boardwalk on Grand View avenue, from Bertha street to Sherman street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a boardwalk on Grand View avenue, on the north side, from Bertha street to Meridian street, and on the south side, from Meridian street to Sherman street, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto, and an Act supplementary to an Act incorporating the City of Pittsburgh, approved April 6th, 1863.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed February 28th, 1876.

Approved March 6th, 1876.

Ordinance Book 4, page 182.

(No. 5.)

AN ORDINANCE—Changing the name of Nottley street to Delmont street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled,

bed, and it is hereby ordained and enacted by the authority of the same, That the name of Noiley street, in the 23d ward, be and the same is hereby changed to Delmont street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed February 28th, 1876.

Approved March 6th, 1876.

Ordinance Book 4, page 183.

(No. 6.)

AN ORDINANCE—Fixing the grade of Madison street, from Fifth avenue to Forbes street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Madison street, from Fifth avenue to Forbes street, be and is hereby established at a uniform grade.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed March 13th, 1876.

Approved March 16th, 1876.

Ordinance Book 4, page 183.

(No. 7.)

AN ORDINANCE—Levying taxes, assessing water rents and making appropriations for the year 1876.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby enacted by authority of the same, That for the purpose of providing sufficient revenue to meet the ordinary expenses of the city, to pay the interest on outstanding bonds, and to discharge all other liabilities now due, or which may become payable during said year, 1876, taxes shall be and are hereby levied and assessed upon all property and other objects of taxation, as follows:

1. City Tax—Upon all property taxable for State or county purposes, four mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

2. Fire Tax—Upon all property taxable for State or county purposes, one and one-tenth mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

3. Water Works Interest Tax—Upon all property taxable for State or county purposes, one and two-thirds mills upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

4. Sinking Fund Tax—Upon all property taxable for State or county purposes, one mill upon each dollar of valuation, except the property in said city designated as rural, upon which the tax shall be assessed at two-thirds of said rate.

5. Old City Special Tax—Upon all property taxable for State or county purposes within the limits of the

City of Pittsburgh, as it existed prior to the consolidation, under the Act of April, 1867, three-fourths of one mill upon each dollar of valuation, as a special tax for the separate indebtedness of said district.

6. Lawrenceville Special Tax—Upon all property taxable for State or county purposes within the limits of the former Borough of Lawrenceville, two-thirds of one mill upon each dollar of valuation as a special tax for the separate indebtedness of said district.

7. South Side Special Tax—Upon all property taxable for State or county purposes within the limits of the former Borough of Ormsby, one mill; East Birmingham, two and one-half mills; St. Clair, one mill; Allentown, one-third of one mill; Mt. Washington, one mill; Temperanceville, three mills, and four mills to pay annual installments on bonds issued since consolidation, for grading and paving Main street in said borough; Birmingham, one mill, to redeem bonds and pay interest on same, issued since consolidation, for grading and paving, under old borough laws.

8. Upon all goods, wares and merchandise, and upon all articles of trade and commerce sold in said city in any manner, not herein otherwise provided for, one and one-half mills upon each dollar of sales.

9. Upon all sales of goods, wares and merchandise and articles of trade or commerce sold by commission merchants in said city, one and one-half mills upon each dollar of said sales.

10. Upon the actual yearly sales of each and every person or firm engaged in the trade, business or occupation of retailing, for his, her, or their benefit, vinous, fermented, or distilled liquors, ten mills on each dollar of said sales.

11. Upon the actual yearly sales of each and every person or firm engaged in the business or occupation of an auctioneer, two mills upon each dollar of said sales.

12. Upon the gross commission or brokerage of all merchandise brokers, forwarding and commission merchants, not including commissions on sales, fifteen mills on each dollar of said commissions.

13. Upon the average line of discounts of brokers, banks and banking institutions, one mill on each dollar.

14. Upon the gross receipts of insurance companies, insurance agencies, express companies and telegraph companies, three mills upon each dollar of said receipts.

15. Upon the gross receipts of persons engaged in the business of keeping billiard tables, ten-pin alleys or bagatelle tables for public use, fifteen mills upon each dollar of said receipts.

Section 2. And at the above rates the City Assessor shall assess said taxes.

Section 3. And at the following rates the Water Assessor shall assess water rents:

First—The schedule of water rents for the year 1876, shall be increased ten per centum over assessment of 1875.

Section 4. That the amount necessary to pay the interest on the separate indebtedness of the old city and the Borough of Lawrenceville, and South Side boroughs, shall be taken from the receipts from the special taxes of the districts aforesaid, and placed in Appropriation No. 1, on which warrants shall be drawn for all interest accruing or accrued on the debts of said districts, respectively.

Section 5. That the balance of said receipts from said special taxes (after payment of interest) shall be paid into a sinking fund for the district from which it is collected, and shall be used for the payment of the special debt of said district.

Section 6. That the revenue of said city for the year 1876, arising from the taxes, loans, and all other sources, together with any moneys in the treasury not otherwise appropriated, are hereby appropriated for the following purposes:

ESTIMATED EXPENDITURES AND RECEIPTS FOR THE YEAR 1876.

APP'N. No.	APPROPRIATIONS FOR 1876.	
1	Interest, Premium and Tax on City Loan.....	\$ 216,440 00
2	Salaries.....	26,760 00
3	Printing.....	10,000 00
4	Fire Department.....	130,000 00
5	Police.....	105,000 00
6	Water Works.....	100,000 00
7	Streets.....	10,000 00
8	Pittsburgh Gas Company.....	28,000 00
9	Markets.....	12,000 00
10	Monongahela Wharf.....	2,000 00
11	Allegheny Wharf.....	7,000 00
12	City Scales.....	1,000 00
13	Contingent Fund.....	55,000 00
14	Board of Health.....	8,000 00
15	East End Gas Company.....	23,000 00
16	City Property.....	6,000 00
18	Finance Fund.....	21,000 00
19	Sinking Fund.....	50,000 00
21	City Hall and Observatory Time.....	5,440 00
22	Road Department.....	20,000 00
23	Survey.....	9,000 00
25	Water Extension Loan Interest.....	228,938 00
26	Water Extension Loan Sinking Fund.....	90,000 00
28	Special Sinking Fund.....	7,000 00
29	Lawrenceville Sinking Fund.....	3,250 00
32	South Side Wharf.....	1,232 00
34	Equalization.....	18,000 00
35	South Side Gas Company.....	16,000 00
36	Fire Department Loan Interest and Sinking Fund.....	24,000 00
38	West Pittsburgh Gas Company.....	6,000 00
39	Repaving Fund.....	30,000 00
		\$1,543,750 00

ESTIMATED RECEIPTS FOR 1876.

City Tax, 1876.....	4	\$470,000 00
Water Works Interest Tax, 1876.....	1 1/2	207,000 00
Fire Tax, 1876.....	1 1/10	132,000 00
Sinking Fund Tax, 1876.....	1	120,000 00
Old City Special Tax, 1876.....	3/4	7,000 00
Lawrenceville Special Tax, 1876.....	2/3	3,250 00
Business Tax.....	1 1/2	165,000 00
Water Rents, 1876.....		285,000 00
Monongahela Wharf.....		9,000 00
Allegheny Wharf.....		2,000 00
South Side Wharf.....		3,000 00
Mayor's Office.....		27,000 00
Diamond Markets.....		43,000 00
Fifth Avenue Market.....		2,500 00
South Side Market.....		5,000 00
City Gauger.....		2,000 00
Vehicle Licenses.....		30,000 00
Street Railroads.....		3,000 00
Building Inspector.....		2,000 00
Interest on Bank Balances.....		5,000 00
Streets.....		10,000 00
City Scales.....		4,000 00
		\$1,543,750 00

SOUTH SIDE SEPARATE INDEBTEDNESS.

APPROPRIATIONS FOR 1876.

24th Ward, Borough of Ormsby.....	\$ 2,250 99
25th and 26th " " E. Birmingham.....	19,510 84
27th " " St. Clair.....	2,125 68
28th and 29th " " Birmingham, sp.....	4,300 00
31st " " Allentown.....	501 82
32d " " Mt. Washington.....	2,306 96
36th Ward, Borough of Temperanceville, special for Main street.....	4,500 00
	\$39,377 54

ESTIMATED RECEIPTS FOR 1876.

24th Ward Special Tax, 1 Mill.....	\$ 2,250 99
25th and 26th " " 2 1/2 ".....	19,510 84
27th " " 1 ".....	2,125 68
28th and 29th " " 1 ".....	4,300 00
31st " " 1 1/2 ".....	501 82
32d " " 1 ".....	2,306 96
36th " " 3 ".....	3,881 25
36th " " 4 ".....	4,500 00
	\$39,377 54

Passed February 28th, 1876.

Vetoed by Mayor March 13th, 1876.

Passed over Mayor's veto March 13th, 1876.

Ordinance Book 4, page 184.

(No. 8.)

AN ORDINANCE.—To authorize a temporary loan for the payment of interest on bonds issued for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh.

WHEREAS, Bonds have been issued by the City of Pittsburgh, for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh, and interest has accrued upon said bonds and other interest will accrue before sufficient money shall be received for the payment thereof, and by an Act entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh," approved the 2d day of April, 1870, it is provided that if interest shall become due on bonds issued under said Act when there is no fund from which to pay the same, the Councils of the City of Pittsburgh shall be authorized to make a temporary loan for the purpose of paying the same; now, therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Council assembled, and it is hereby ordained and enacted by the authority of the same, That the Controller shall be and is hereby authorized to borrow, in the name and on behalf of the City of Pittsburgh, a sum of money not exceeding the sum of one hundred and forty-one thousand dollars, to be borrowed from time to time, as the same may be required for the payment of interest upon bonds issued or to be issued by the City of Pittsburgh, for the improvement of Penn avenue and other avenues and streets in the City of Pittsburgh.

Section 2. Said loans shall be made only upon direction of the Finance Committee, in such sums and at such times as said committee may direct.

Section 3. The Controller shall be authorized to issue bonds or other obligations in the name of the city, in such form as the Finance Committee may direct, payable at such times, not exceeding four (4) years after date, and bearing interest at a rate not exceeding six (6) per cent., in gold, per annum, and said bonds or obligations shall be signed by the Mayor and countersigned by the Controller, and sealed with the corporate seal of the city.

Section 4. The money derived from said bonds or obligations shall be used for the purpose of paying interest upon the bonds issued as aforesaid and for no other purpose.

Section 5. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed March 22d, 1876.

Approved March 23d, 1876.

Ordinance Book 5, page 38.

(No. 9.)

AN ORDINANCE—Changing the location of Herberton street, from Stanton avenue to Graff street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the location of Herberton street, from Stanton avenue to Graff street, is hereby changed as follows: The centre line shall begin at its present point of beginning on Stanton avenue, and thence, on a straight line from said point, to a point about forty feet east of the present terminus of Collins avenue, at the centre of Graff street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed March 27th, 1876.

Approved April 6th, 1876.

Ordinance Book 5, page 39.

(No. 10.)

AN ORDINANCE—Authorizing the grading, paving and curbing of Forty-seventh street, from Allegheny Valley Railroad to Allegheny river.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading, paving and curbing of Forty-seventh street, from Allegheny Valley Railroad to Allegheny river, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed March 27th, 1876.

Approved April 6th, 1876.

Ordinance Book 5, page 39.

(No. 11.)

AN ORDINANCE—Locating Harrison street, between Fifteenth and Fifty-second streets.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Harrison street, between Fifteenth and Fifty-second streets, be and the same is hereby located as follows: Commencing on east side of Fifteenth street, thence on the line of Harrison street, west of Fifteenth street, produced north $33^{\circ} 35' 39''$ east to centre of Fifty-first street, thence north $39^{\circ} 59' 54''$ east to Fifty-second street, to a width of fifty (50) feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed April 10th, 1876.

Approved April 15th, 1876.

Ordinance Book 5, page 40.

(No. 12.)

AN ORDINANCE—Authorizing the grading of Buff street, from Shingiss street to Marion street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading of Buff street, from Shingiss street to Marion street, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed April 24th, 1876.

Approved April 24th, 1876.

Ordinance Book 5, page 47.

(No. 13.)

AN ORDINANCE—Vacating Collins avenue, from Stanton avenue to Graff street.

WHEREAS, By the passage of an Ordinance relocating Herberton avenue, between Stanton avenue and Graff street, that portion of Collins avenue between Stanton avenue and Graff street has been rendered useless; therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Collins avenue, from Stanton avenue northwardly to Graff street, be and the same is hereby vacated, in accordance with the provisions of an Act of Assembly supplementary to an Act concerning Streets and Sewers in the City of Pittsburgh, approved January 6th, 1864, approved 22d March, 1866.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed April 24th, 1876.

Approved April 29th, 1876.

Ordinance Book 5, page 47.

(No. 14.)

AN ORDINANCE—Authorizing the assessment of damages and benefits caused by the grading of Lincoln avenue, from Frankstown avenue to city line.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess damages and benefits caused by the grading of Lincoln avenue, from Frankstown avenue to city line, in accordance with the provisions of an Act of Assembly, entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the

present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed April 24th, 1876.
Approved April 29th, 1876.
Ordinance Book 5, page 42.

(No. 15.)

A N ORDINANCE—Granting McConway, Torley & Co. right to erect an addition to an iron-clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to McConway, Torley & Co., to erect an addition to an iron-clad building used for manufacturing purposes, on Liberty street, between Twenty-fifth and Twenty-sixth streets, 12th ward.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed May 8th, 1876.
Approved May 15th, 1876.
Ordinance Book 5, page 42.

(No. 16.)

A N ORDINANCE—Authorizing the Assessor of Water Rents to employ assistants to make the assessment.

Section 1. Be it enacted and ordained by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Assessor of Water Rents be and he is hereby authorized to employ by and with the advice of the Water Committee, such number of assistants as may be necessary to make the assessment, whose salary for such work shall be fixed by the Water Committee.

Passed June 12th, 1876.
Approved June 19th, 1876.
Ordinance Book 5, page 43.

(No. 17.)

A N ORDINANCE—Granting Milton Bartley right to erect an iron-clad building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Milton Bartley be and he is hereby authorized to erect an iron-clad building, forty feet wide, seventy feet long and sixteen feet high, in the rear of Nos. 1041 and 1043 Penn avenue.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 12th, 1876.
Approved June 19th, 1876.
Ordinance Book 5, page 43.

(No. 18.)

A N ORDINANCE—Granting Edward McDermott the privilege to erect a frame house.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Edward McDermott be and he is hereby authorized to erect a frame building (dwelling), two stories high, adjoining his present house on Carson street, 34th ward.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.
Approved June 29th, 1876.
Ordinance Book 5, page 44.

(No. 19.)

A N ORDINANCE—Authorizing the opening of Harrison street, from Fifth street to Fifty-second street.

WHEREAS, It appears that a majority in interest have petitioned for the opening of Harrison street, from Fifth street to Fifty-second street, therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the date of the passage of this Ordinance, Harrison street, from Fifth street to Fifty-second street, at a width of fifty feet, in accordance with a plan on file in the Engineer's office, approved by Ordinance, passed by Councils 10th day of April, 1876.

The damages caused thereby, and the benefits to pay the same, to be assessed and collected in accordance with the provisions of an Act of Assembly, entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1874, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.
Approved June 29th, 1876.
Ordinance Book 5, page 44.

(No. 20.)

A N ORDINANCE—Authorizing the grading, paving and curbing of Virgin alley, from Grant street to Cherry alley.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading, paving and curbing of Virgin alley, from Grant street to Cherry alley, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance

at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.

Approved June 29th, 1876.

Ordinance Book 5, page 45.

(No. 21.)

A N ORDINANCE—To authorize the re-grading, re-paving and curbing of Virgin alley, from Smithfield street to Cherry alley.

WHEREAS, A petition was presented to Councils for the re-paving and re-grading of Virgin alley, from Smithfield street to Cherry alley, which was referred to the Board of Viewers of Street Improvements, who reported to Councils April 24th, 1876, who reported that the improvement would be of both local and general benefit, and that the property abutting between Smithfield street and Cherry alley should pay three-fourths and the City of Pittsburgh should pay one-fourth of the cost of said improvement. Now, therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the re-grading, re-paving and curbing of Virgin alley, from Smithfield street to Cherry alley, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same, the cost to be assessed and collected in accordance with the report of the Viewers of Street Improvements and the Acts of Assembly in such cases made and provided.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.

Approved June 29th, 1876.

Ordinance Book 5, page 46.

(No. 22.)

A N ORDINANCE—To authorize the re-paving of Fifth avenue, from Liberty street to Smithfield street.

WHEREAS, A petition was presented to Councils for the re-paving of Fifth avenue, from Liberty street to Smithfield street, which was referred to the Viewers of Street Improvements, who reported to Councils June 14th, 1875, that said improvement would be of both local and general benefit, and that the City of Pittsburgh should pay three-fourths of the cost of said improvement, and the property owners abutting on the street, from Liberty street to Smithfield street, should pay one-fourth of the cost of said improvement. Now, therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same. That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the re-paving of Fifth avenue, from Liberty street to Smithfield street, with pavement other than cobble stone, and to let the same to the lowest and best bidder, under the direction of the Street Committee, and in accordance with the Acts of Assembly and Ordinances of Councils relating thereto. The kind of pavement to be used to be determined by

the Street Committee upon consideration of the proposals for said work.

The cost and expense of the same to be assessed and collected in accordance with the report of the Viewers of Street Improvements, presented June 14th, 1875, and the Acts of Assembly and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.

Approved June 29th, 1876.

Ordinance Book 5, page 47.

(No. 23.)

A N ORDINANCE—To authorize the re-paving of Wood street, from Water street to Liberty street.

WHEREAS, A petition was presented to Councils for the re-paving of Wood street, from Water street to Liberty street, which was referred to the Viewers of Street Improvements, who reported to Councils, June 14th, 1875, that said improvement would be of both local and general benefit, and that the City of Pittsburgh should pay three-fourths of the cost of said improvement, and the property owners abutting on the street, from Water street to Liberty, should pay one-fourth of the cost of said improvement.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the re-paving of Wood street, from Water street to Liberty street, with pavement other than cobble stone, and to let the same to the lowest and best bidder, under the direction of the Street Committee and in accordance with the Acts of Assembly and Ordinances of Councils relating thereto. The kind of pavement to be used to be determined by the Street Committee upon consideration of the proposals for said work.

The cost and expense of the same to be assessed and collected in accordance with the report of the Viewers of Street Improvements, presented June 14th, 1875, and the Acts of Assembly and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.

Approved June 29th, 1876.

Ordinance Book 5, page 48.

(No. 24.)

A N ORDINANCE—Authorizing the assessment of damages and benefits caused by the change of grade of Madison street, from Fifth avenue to Forbes street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the benefits and damages caused by the change of grade of Madison street, from Fifth avenue to Forbes street, in accordance with the provisions of an Act of Assembly, entitled "An Act concerning Streets and Sewers in the City of Pitts-

burgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.

Approved June 29th, 1876.

Ordinance Book 5, page 49.

(No. 25.)

A N ORDINANCE—Amending City Code; title, Board Measurers, sections 1, 3 and 5.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Code; title, Board Measurers, sections 1, 3 and 5, be and the same is hereby amended to read as follows:

Section 1. That Councils shall triennially elect two Board Measurers for the district lying north of the Monongahela river, and one for the district lying south of the said river, whose duty it shall be to measure and inspect all shingles, boards and scantlings, brought within the city for sale or barter, and to give a certificate of the same to the seller, and if either of said Measurers shall refuse to perform the said duties, when reasonably required, he shall forfeit and pay the sum of ten dollars for each offense.

Section 3. Said Measurers shall, previously to collecting their own fees, report to the Wharf Master (under a penalty of ten dollars for each neglect so to do, besides being liable for the wharfage of such shingles, boards or lumber,) the number of feet of boards or lumber and the number of shingles by them measured. They shall pay monthly into the City Treasury the sum of fifty per cent. on the amount of all moneys received by them as fees for the performance of their duties.

Section 5. Each of said Board Measurers shall charge and receive as fees for measuring any quantity not exceeding five thousand feet of boards, fifteen cents per thousand feet, and for each thousand feet additional ten cents, and for each thousand of shingles two and one-half cents, and shall retain as full compensation for such service, fifty per centum of his fees, and shall pay into the City Treasury all sums received by him above the amount he is hereby authorized to retain, at least once a month.

Section 2. That the first election of Board Measurers shall take place immediately after the passage and approval of this Ordinance, and the persons so elected shall serve until the next regular election for city officers.

Passed June 26th, 1876.

Approved June 29th, 1876.

Ordinance Book 5, page 49.

(No. 26.)

A N ORDINANCE—Amending section one of an Ordinance entitled "A Further Supplement to an Ordinance entitled 'An Ordinance authorizing the issuing of bonds to be exchanged for bonds issued in Payment of Subscriptions to Railroad Companies,'" passed July 14, 1863.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Ordinance to which this is a supplement be and the same is hereby so amended as to authorize the issue of bonds bearing five

per cent. interest, in like manner as bonds bearing four per cent. interest, which five per cent. bonds may be exchanged for the old bonds and the interest thereon, and for bonds bearing four per cent. and the interest thereon, at the rate of eighty-six per centum of the amount of the old bonds and accrued interest, and of said four per cent. bonds and accrued interest, in cases where holders prefer this arrangement to the four per cent. bonds for the whole amount.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed June 26th, 1876.

Became a law without the signature of the Mayor, July 15th, 1876.

Ordinance Book 5, page 50.

(No. 27.)

A N ORDINANCE—Establishing grade for the west curb of Thirty-fourth street, from north curb of Liberty street to Liberty avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Thirty-fourth street, from the north curb of Liberty street to Liberty avenue, be and is hereby established as follows: Beginning at the north curb of Liberty street, thence, at a rise of 8.51 feet per 100 feet, to the north curb of Liberty avenue.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 51.

(No. 28.)

A N ORDINANCE—Establishing the grade of First street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of First street, from Penn avenue to Duquesne Way, be and is hereby established as follows: Commencing at the north curb of Penn avenue, at an elevation of 30.74 feet, thence, with a fall of 1.29 feet per 100 feet, to the curb line of Duquesne Way.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 52.

(No. 29.)

A N ORDINANCE—Establishing the grade of Green alley, from Penn avenue to Duquesne Way.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, that the grade of Green alley, from Penn avenue to Duquesne Way, be and the same

is hereby established as follows, to wit: Beginning at the north curb of Penn avenue, at an elevation of 33.32 feet, thence, with a fall of 1.366 feet per 100 feet, to the curb line of Duquesne Way.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 52.

(No. 30.)

A N ORDINANCE—Establishing the grade of Second street, from Penn avenue to Duquesne Way.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Second street, from Penn avenue to Duquesne Way, be and the same is hereby established as follows: Beginning at the north curb of Penn avenue, at an elevation of 32.42 feet, thence, with a fall of 1.33 feet per 100 feet, to the curb line of Duquesne Way.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 53.

(No. 31.)

A N ORDINANCE—Establishing the grade of Fort street, from Penn avenue to Duquesne Way.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Fort street, from Penn avenue to Duquesne Way, be and the same is hereby established as follows, to wit: Beginning at the north curb of Penn avenue, at an elevation of thirty-two and thirty-nine hundredths (32.39) feet, thence, with a fall of one and four hundred and four thousandths (1.404) feet per hundred feet, to the curb line of Duquesne Way.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 53.

(No. 32.)

A N ORDINANCE—Establishing the grade of Duquesne Way, from the west curb of First street to a point 273.88 feet west of west line of Point alley.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Duquesne Way, from the west curb of First street to a point

273.88 feet west of the west line of Point alley, be and is hereby established as follows: Commencing at the west curb of First street, thence, rising 0.908 feet, per 100 feet, to a point 273.88 feet west of west line of Point alley.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 54.

(No. 33.)

A N ORDINANCE—Establishing the grade of Duquesne Way, from Fifth street to Sixth street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Duquesne Way, from Fifth street to Sixth street, be and is hereby established as follows: Beginning at the east curb line of Fifth street, at an elevation of 27.08, thence, rising 0.70 feet per 100 feet, for a distance of 24.39 feet, thence, falling 0.70 feet per 100 feet for a distance of 130.11 feet to the west curb of Cecil's alley, thence, level across said alley, thence, at a rise of 4.37 feet per 100 feet for a distance of 132.50 feet to the east line of Morgan's alley, thence, at a rise of 4.50 feet per 100 feet, to the west building line of Sixth street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 54.

(No. 34.)

A N ORDINANCE—Changing the name of First street, formerly Point street, to Fort street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the name of First street, formerly known as Point street, be and the same is hereby changed to Fort street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 55.

(No. 35.)

A N ORDINANCE—Authorizing the opening of Union alley, from Grant street to upper line of estate of L. S. Johns (about 105 feet south of Sherman street).

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and

open, within sixty days from the date of the passage of this Ordinance. Union alley, from Grant street to upper line of estate of L. S. Johns, deceased, (about 105 feet south of Sherman street), at a width of twenty feet, in accordance with a plan of the late borough of Lawrenceville, on file in the Engineer's office.

The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 55.

(No. 36.)

AN ORDINANCE—Locating Station street, from Frankstown avenue to Penn avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Station street be and is hereby located at a width of forty-five feet, as follows: The five feet (east side) running line beginning at the intersection of a five feet running line (south side) of Frankstown avenue, and a five feet (east side) running line of Station street; thence deflecting $95^{\circ} 23' 00''$ to the left or southwardly 573 15 feet to an angle; thence deflecting $50^{\circ} 53' 20''$ to the right 223.40 feet to intersection with a fifteen feet (north side) running line of Penn avenue, at a distance of 567.42 feet from a point on the five feet (west side) running line of Denniston avenue.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed July 10th, 1876.

Approved July 14th, 1876.

Ordinance Book 5, page 56.

(No. 37.)

AN ORDINANCE—Authorizing the construction of a sewer on property of Michael McCullough, from the end of present sewer on Forty-second street, for a distance of twenty (20) feet.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a sewer (brick) three feet in diameter, for a distance of twenty feet from the end of the present sewer on Forty-second street, on the property of Michael McCullough, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same. The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at

the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed September 11th, 1876.

Approved September 14th, 1876.

Ordinance Book 5, page 57.

(No. 38.)

AN ORDINANCE—Establishing the grade of Union alley from Irwin alley to Grant street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Union alley, from Irwin alley to Grant street be and is hereby established as follows: Commencing at Irwin alley, at an elevation of 86.15, thence rising at the rate of 7.188 feet per 100 to north curb of Davison street; thence across Davison street, rising 0.38 feet; thence rising at the rate of 3.937 feet per 100 for the distance of 128 feet; thence rising at the rate of 7.92 feet for the distance of 988.4 feet to north curb of Grant street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed October 9th, 1876.

Became a law without the signature of the Mayor October 31st, 1876.

Ordinance Book 5, page 57.

(No. 39.)

AN ORDINANCE—Granting to John D. Negley privilege to erect weigh scales on Carson street, 30th ward.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to John D. Negley to construct and maintain a weigh scales on Carson street, 30th ward, for his private use.

Section 2. That said scales shall be constructed upon plans approved by the Street Commissioner of the district, and John D. Negley shall pay into the City Treasury the sum of seventy-five dollars per year for each and every year the said scales are maintained, and if said scales are removed at any time, the street shall be placed in as good condition as it was before said scales were constructed, at the cost and expense of said John D. Negley; provided, however, that the city reserves the right to cause the removal of said scales upon thirty days' notice from the Street Commissioner of the district.

Section 3. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed October 9th, 1876.

Became a law without the signature of the Mayor October 31st, 1876.

Ordinance Book 5, page 58.

(No. 40.)

AN ORDINANCE—Granting to Cummings Cherry the privilege to construct and maintain a sidewalk on Oak alley.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to Cummings Cherry, Esq., to construct and maintain a sidewalk, four feet wide, in front of his property on Oak alley, 3d ward, two feet in width of said sidewalk to be constructed of iron frame with bullseye lights.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed October 9th, 1876.

Be came a law without signature of Mayor, October 31st, 1876.

Ordinance Book 5, page 59.

(No. 41.)

AN ORDINANCE—Authorizing the grading and paving of Union alley, from Grant street to the upper or southeastern line of property of Johns estate.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading and paving of Union alley, from Grant street to the upper or southeastern line of property of Johns estate, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed October 31st, 1876.

Approved November 1st, 1876.

Ordinance Book 5, page 60.

(No. 42.)

AN ORDINANCE—Granting Geo. Duncan & Sons privilege to erect an addition to a frame building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to Geo. Duncan & Sons to erect a frame addition to a frame building, size, 60x70 feet, for glass manufacturing purposes, in rear of works on Tenth street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed October 31st, 1876.

Approved November 3d, 1876.

Ordinance Book 5, page 60.

(No. 43.)

AN ORDINANCE—Establishing the grade of Homewood avenue

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled,

and it is hereby ordained and enacted by the authority of the same, That the grade of the west curb of Homewood avenue, from Penn avenue to the Pennsylvania Railroad, be and the same is hereby established as follows: Beginning at the north curb of Penn avenue at an elevation of 255.80; thence, at a fall of 5 feet per 100 feet, to the south curb of Meade street; thence, at a fall of 3.637 feet per 100 feet, to the south line of the Pennsylvania Railroad.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 13th, 1876.

Approved November 16th, 1876.

Ordinance Book 5, page 61.

(No. 44.)

AN ORDINANCE—Establishing the grade of center line of Ridge street, from Thirty-third to Craig street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of center line of Ridge street be established as follows: Beginning at Thirty-third street, at a mean elevation between the north and south curbs; thence rising at the rate of 8.444 feet per 100 feet, to a point distant 202.37 feet; thence by a vertical curve for the distance of 80 feet; thence falling 1.0 feet per 100 feet to the west curb of Hill street; thence level across Hill street to the east curb; thence rising at the rate of 1.757 feet to the east curb of Harrison street; thence rising at the rate of 5.721 feet per 100 feet to the angle at Jefferson street; thence falling at the rate of 3.361 feet per 100 feet for the distance of 520 feet; thence falling at the rate of 9.357 feet per 100 feet to Craig street.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 13th, 1876.

Approved November 16th, 1876.

Ordinance Book 5, page 61.

(No. 45.)

AN ORDINANCE—Authorizing the construction of a boardwalk on Morningside avenue, from bridge at McKelvy & McMahon's refinery, on Butler street, to present boardwalk on Morningside avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a boardwalk on the north side of Morningside avenue, from the bridge at McKelvy & McMahon's oil works, on Butler street, on the north side of said avenue, to the present boardwalk on said avenue, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance

nance conflicting with the passage of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 13th, 1876.

Approved November 16th, 1876.

Ordinance Book 5, page 62.

(No. 46.)

AN ORDINANCE—Authorizing the opening of Station street, from Frankstown avenue to Pennsylvania Railroad.

WHEREAS, It appears that a majority in interest have petitioned for the opening of Station street, from Frankstown avenue to Pennsylvania Railroad; therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the date of the passage of this Ordinance, Station street, from Frankstown avenue to Pennsylvania Railroad, at a width of fifty-five feet, in accordance with a plan on file in the Engineer's office, approved by Ordinance passed by Councils 10th day of July, 1876.

The damages caused thereby, and the benefits to pay the same, to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 13th, 1876.

Approved November 16th, 1876.

Ordinance Book 5, page 63.

(No. 47.)

AN ORDINANCE—Amending Section Six of an Ordinance entitled "An Ordinance to provide for the safe keeping and custody of the funds of the city," passed 7th February, 1870.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That Section Six of an Ordinance entitled "An Ordinance to provide for the safe keeping and custody of the funds of the city," passed 7th February, 1870, shall be amended to read as follows:

Section 6. That so soon as the banks or savings institutions so designated as depositories of the funds of said city shall have given bond, as required by this Ordinance, it shall be the duty of the City Treasurer to deposit all funds in his official custody, or that afterwards come into his official possession, in the banks or savings institutions aforesaid, keeping in each such proportion of the funds as he shall in his judgment determine.

Provided, That the consent of the Finance Committee and all the bondsmen be first had and obtained before the change shall be made by the City Treasurer.

Passed November 13th, 1876.

Approved November 16th, 1876.

Ordinance Book 5, page 63.

(No. 48.)

AN ORDINANCE—Relative to the collection of fines and forfeitures.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the passage of this Ordinance, the Mayor of said city shall have full jurisdiction, power and authority to recover summarily by conviction, all and any fine or fines, forfeiture or forfeitures, directed to be inflicted or imposed for the violation of any of the provisions of any of the Ordinances of the city, which have been heretofore or may hereafter be enacted and ordained by the Councils for the government of said city.

Section 2. That in default of payment of any of said fine or fines, forfeiture or forfeitures, the person or persons so convicted, shall be committed to the Allegheny County Jail for a period not exceeding ten days, or to the Allegheny County Workhouse for a period not exceeding thirty days for the first offence, and for a period not exceeding ten days to the Allegheny County Jail, or sixty days to the Allegheny County Workhouse for the second offence, at the discretion of the Mayor.

Section 3. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 4th, 1876.

Approved December 7th, 1876.

Ordinance Book 5, page 64.

(No. 49.)

AN ORDINANCE—Establishing the grade of Fort street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Fort street be and is hereby established as follows: Commencing at the building line of Penn avenue, at an elevation of 30.21 feet; thence, falling at the rate of 0.942 feet per 100 feet, to the curb line of Duquesne Way, to an elevation of 26.14 feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 4th, 1876.

Approved December 8th, 1876.

Ordinance Book 5, page 65.

(No. 50.)

AN ORDINANCE—Locating Houck street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the center line of Houck street be and the same is hereby located as follows: Beginning at the intersection of center lines of Carver and Lowell streets; thence, deflecting $14^{\circ} 40'$ to the left, 142.14 feet to an angle; thence deflecting $11^{\circ} 10'$ to the left, 194 feet to an angle; thence, deflecting 90° to the right, about 202 feet, to the center of Lincoln avenue, at a width of forty feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 27th, 1876.
Approved December 1st, 1876.
Ordinance Book 5, page 65.

(No. 51.)

A N ORDINANCE—Authorizing the grading of Harrison street, from Fifth street to Fifty-second street.

WHEREAS, It appears that a majority in interest have petitioned for the grading of Harrison street, from Fifth street to Fifty-second street; therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading of Harrison street, from Fifth street to Fifty-second street, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 27th, 1876.
Approved December 1st, 1876.
Ordinance Book 5, page 66.

(No. 52.)

A N ORDINANCE—Authorizing the opening of Exchange alley, from Barker's alley to Seventh street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the date of the passage of this Ordinance, Exchange alley, from Barker's alley to Seventh street, at a width of twenty feet, in accordance with a plan on file in the Engineer's Office, approved by Ordinance passed by Councils sixth day of July, 1874.

The damages caused thereby, and the benefits to pay the same, to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That all Ordinances and parts of Ordinances conflicting with the passage of this Ordinance at the present time are hereby repealed, so far as the same conflict with this Ordinance.

Passed November 27th, 1876.
Approved December 8th, 1876.
Ordinance Book 5, page 65.

(No. 53.)

A N ORDINANCE—Locating Reservoir avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled,

and it is hereby ordained and enacted by the authority of the same, That a street, to be known as Reservoir avenue shall be and is hereby located as follows, to wit: Beginning at the center line of River avenue, twenty-two (22) feet from line of Allegheny Valley Railroad, north 66° 50' west 649.5 feet to a peg; thence, by a curve 400 feet radius, 540.86 feet to a peg; thence south 36° 25' west 1,450 feet to Hiland avenue reservoir, at a width of forty (40) feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 27th, 1876.
Approved December 1st, 1876.
Ordinance Book 4, page 187.

(No. 54.)

A N ORDINANCE—Amending the City Code; title, Markets.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Code, title, Markets, be and the same is hereby amended to read as follows:

Section 1. The Councils shall, at the time appointed for the election of other city officers, elect one suitable person as Superintendent of Markets, and two suitable persons as Clerks of Markets.

Section 2. The Market Committee shall, at the first meeting after their appointment, elect suitable persons as Market Constables, and one person as Weighmaster, who shall be assigned for duty at such of the several markets as said committee shall direct.

Section 3. The Superintendent of Markets shall have the general superintendence and control of all the markets and market houses within the city, shall attend to the opening, closing, cleaning and repairing and alteration of the same, and shall direct and control the letting on and shutting off of the gas, collect all rent from the inside stalls of the lower stories of the Diamond Markets, and the rents of City Hall, and shall collect rent for the fish stalls, butchers' stalls, coffee rooms and store rooms of the Fifth Avenue Market; provided, that no alterations or repairs, the cost of which shall exceed the sum of twenty dollars, shall be made by him, except the same shall first be approved and directed by the Market Committee.

Section 4. One of the Clerks of Markets shall have the control of the markets in the second story of the building on the west side of Market street, all the outside stalls of the Diamond and Ninth Ward Markets, and that portion of the Fifth Avenue Market not assigned to the Superintendent of Markets. He shall designate the places to be occupied by vendors in the portion of which he collects the rents, in accordance with the Ordinance of Councils and regulation of the Market Committee; shall weigh all butter which may not be sealed in accordance with the provisions of this Ordinance, and shall see that order is preserved during market hours and that all the Ordinances of the city in relation thereto are enforced: Provided, that if any dispute should arise as to the performance of his duties, it shall be referred to the Superintendent of Markets, by whose decision he shall be governed; and one of the Clerks of Markets shall have control of all public markets within the city limits, south of the Monongahela river, and shall have the same powers and the same duties to perform in relation thereto as are defined by this section for the Clerks of Markets between the rivers.

Section 5. It shall be the duty of the Market Constables to preserve order within the limits of the markets, assist the Superintendent and clerks in the per-

formance of their duties and the enforcement of the Ordinances and regulations in reference to the markets, and perform such other duties as may be prescribed by the Market Committee.

Section 6. The several market houses and markets shall be under the direct control of the Market Committee, and shall be appropriated and rented in such a manner as to them may seem best for the interest of the city.

Section 7. The rent of butchers', fish and coffee stands shall be collected quarterly in advance, market gardeners' stands monthly in advance, and all others monthly or weekly in advance. When the market gardeners' stands are unoccupied by the lessees or some one in their employment in their own regular business, the officers of the markets shall be at liberty to place other dealers thereon, for which regular daily rates shall be collected, excepting Fifth Avenue Market, collected monthly, weekly or daily in advance.

Section 8. At least one-half of the second story of the market house on the western side of Market street shall be reserved for the use of farmers selling the produce of their own farms, vegetables and fruits excepted, who shall be entitled to the use of stalls therein free of charge. *Provided* that this section shall not be held to exempt from the payment of rent persons who pursue the business of market gardeners.

Section 9. The stalls or stands in the second story of the market house on the western side of Market street shall be rented by the month or week, and for no longer period. The only evidence of the right to occupy the stalls or stands so rented in the several markets, shall be a receipt for the rent thereof, and the right to occupy the same shall cease and determine at the expiration of the time for which rent shall have been paid.

Section 10. If the occupant of any stall or stand in any of said markets shall violate any of the provisions of the Ordinances or regulations for the government of said markets, he or she shall thereby forfeit the right to occupy the same, and may be dispossessed by the Superintendent of Markets; *Provided*, that if any person shall feel aggrieved by the action of the Superintendent, he or she may appeal to the Mayor of the city, who shall hear the proofs and allegations of the parties, and give judgment thereon, which judgment shall be final and conclusive.

Section 11. It shall be the duty of the Superintendent and Clerks of Markets to procure books, in which they shall keep a regular and correct account of all moneys received by them respectively, giving the date and name and when and from whom received, and all moneys so received shall be paid to the City Treasurer weekly.

Section 12. It shall be the duty of the Weighmaster to attend the said markets during market hours, to weigh all such articles offered for sale as may be brought to him for that purpose, and the following fees shall be paid by the seller to the Weighmaster, for articles which shall be weighed by him, to wit: For any weight not exceeding twenty-five pounds, one cent; for any weight above twenty-five pounds and not exceeding fifty pounds, two cents; for any weight above fifty pounds and not exceeding one hundred pounds, three cents, and for every one hundred pounds, six cents: *Provided*, that if any number of articles, each of which is of less weight than five pounds, be offered for weighing, he shall not be entitled to charge more than one cent for any quantity under five pounds, and one cent for each additional five pounds or fractional part thereof.

Section 13. Said Weighmaster shall pay into the City Treasury, quarterly, the sum of twenty-five dollars, as a rental for the weigh house and furniture.

Section 14. Any person who may desire to offer for sale any articles of provisions, in loaves or lumps of a given or accustomed weight, may apply to the Weighmaster, whose duty it shall be to weigh the same and mark thereon the weight of each article, and if any person shall sell or offer to sell any article so marked

for more than the weight so ascertained, he or she shall be liable to a fine of five dollars, and the articles so offered for sale shall be confiscated for the use of the Guardians of the Poor of the City of Pittsburgh.

Section 15. It shall be the duty of the Clerk of Markets to weigh all articles of provisions offered for sale in loaves or lumps, or a given weight not marked by the Weighmaster, and if the same shall be found deficient, he shall, in the presence of two reputable freeholders, weigh again, and if it appears to said freeholders to be under weight, the said Clerk shall weigh the same and appropriate one-third thereof to his own use and two-thirds to the use of the Guardians of the Poor of the city.

Section 16. The market days and hours for the several city markets shall be as follows, viz: For the Diamond Markets the regular market days shall be Tuesday, Wednesday, Friday and Saturday of each week, with market hours, between April first and October first, from four o'clock A. M. until seven o'clock P. M., and between October first and April first from four o'clock A. M. until six o'clock P. M., except Saturday night, when it shall be kept open at such hours as the Market Committee may establish. It shall be open the other days of each week (Sundays excepted) between such hours as the Market Committee may fix. For the Fifth Avenue Market, and market on Twelfth street, South Side, the regular market days shall be Tuesday, Thursday and Saturday of each week, with market hours to be established by the Market Committee.

Section 17. From and after the passage of this Ordinance it shall not be lawful for any butcher, second-handed dealer or other person, to sell or expose for sale at the said several markets, any article, either of meat, poultry, vegetables, fruit, butter, eggs or other products usually sold in market, which he or she or they may have purchased within the limits of the markets of the said city on market days, namely, on Tuesday, Wednesday, Thursday, Friday and Saturday, under a penalty of not less than five nor more than ten dollars for each offense, to be recovered summarily.

Section 18. It shall not be lawful for any person to forestall or injure the business of the city markets by purchasing or by having delivered during the market days and hours fixed by this Ordinance, any of the articles referred to in the above mentioned 17th section, within the limits of the several markets, for the purpose of re-selling the same at their place of business, under a penalty of ten dollars for each offense, to be recovered summarily.

Section 19. It shall be the duty of the Clerk and Constables attending the markets to keep the openings and passages of said market clear and free from all obstructions, and no barrels, benches, baskets, tubs or other articles of any kind whatsoever, shall be permitted to remain in any of the said passages or openings, and any person or persons who may be found idling or loitering in said openings or passages, or in and about any market place, shall be deemed an obstruction, and upon information being made by any of the market officers or of any police officers, shall be arrested and fined not less than one dollar or more than five dollars.

Section 20. It shall not be lawful to bring the carcass of any animal into the city markets to be flayed, or fish to be cleaned, nor to keep any hides, pelts or skins therein after sunrise, and all bones, feet, offal, refuse, garbage and rubbish shall be removed from each stall or stand in said market at the close of each day's business by the proprietors thereof, respectively, and each person violating any one of the provisions of this section, shall be liable to a fine of ten dollars, to be recovered summarily, and shall, if the Superintendent so decide, forfeit the stall or stand occupied by him.

Section 21. No horses, wagons, drays or vehicles of any kind whatsoever shall be permitted to stand on any part of the public market grounds during market

hours. Horses, carts, wagons, drays, sledges or sleighs, bringing produce to market shall not remain for a longer time than is absolutely necessary to unload the same, and the Superintendent or either of the Clerks of Markets, for the safety and convenience of the citizens who frequent the markets, are hereby authorized to extend chains at a proper height across such avenues, streets or alleys as lead to the market houses, as he may deem indispensably necessary, on regular market days, between the hours of 6 A. M. and 12 M., and no person shall be permitted to ride, drive or lead a horse or other animal within the space so enclosed. Any person offending against any one of the provisions of this section, shall be subject to a fine of ten dollars, to be recovered summarily on conviction.

Section 22. A penalty of five dollars shall be imposed upon any person or persons riding, driving or leading any horse or other animal within the space so enclosed, and within the hours specified on market days.

Section 23. No person shall break or otherwise injure any portion of a market house, or post any bills or placards thereon, under a penalty of five dollars, in addition to the cost of repairs, for each offense, nor shall any person alter or change any gas fixture in any stall or stand, and the burners shall in no case exceed a six-foot burner.

Section 24. No person shall sell or expose to sale, any spirituous, vinous or malt liquor, by retail, or any mixture thereof, within any market house, under a penalty of five dollars.

Section 25. No person shall, within market hours, bring or keep a dog within any market house, under a penalty of two dollars for each dog.

Section 26. No steelyards or beam scales shall be used in either market, and all weights and measures used therein shall be regulated and marked, and every person herein offending shall pay a fine of five dollars.

Section 27. No butcher shall occupy more than a space of eight feet from the partition of his stall.

Section 28. No meat shall be salted within the limits of the markets, nor any pickle or brine thrown therein, under a penalty of three dollars.

Section 29. No person, unless regular tenants of butcher stalls, shall sell any meat, except what is known as game, within said market houses, except farmers, who may sell that raised on their own farms, and then no hogs, veal or mutton in less quantity than a whole, and beef and veal in less quantity than a quarter, under a penalty of five dollars.

Section 30. No vegetables, fruits, or other produce, sold by weight or measure, shall be sold within the limits of the markets by other scales, weights or measures, than such as have been legally regulated and marked, under a penalty of five dollars for every such offense, together with the forfeiture of such scales, weights and measures.

Section 31. It shall not be lawful to sell berries in the market, otherwise than by measure, under a penalty of not less than one nor more than five dollars, to be recovered as like penalties by law are recoverable.

Section 32. No lessee of any stall, stand or space in any market place, shall sell, assign or sub-let the same, or any portion thereof, or permit the same to be occupied by any one not in the employment of such lessee, unless by the written consent of the Market Committee, and all stands, stalls or spaces shall revert to the city, upon the decease of the lessee thereof.

Section 33. Lessees of stalls shall furnish their own hooks, cranes, blocks and staples, the cranes to be of uniform size and pattern, as prescribed by said committee, so as not to obstruct the passages.

Section 34. Any person in anywise interfering with the Superintendent, Weighmaster, Clerk of the Market or Constable on duty, shall be fined not less than five dollars, nor more than twenty-five dollars for each offense.

Section 35. The Market Committee shall make,

and cause to be enforced, rules and regulations for the government and occupancy of said market houses, and the markets and traffic therein and thereabouts, to be held and permitted, not inconsistent with this Ordinance.

Section 36. That it shall not be lawful for any person to peddle or hawk any goods within or about any of the market houses within the city during market, under a penalty of not less than one nor more than five dollars, to be recovered as like penalties are by law recoverable.

Section 2. All penalties imposed by this or the original Ordinance shall be recovered summarily—**Section 34** of said original Ordinance, is hereby repealed.

Passed November 27th, 1876.

Approved December 8th, 1876.

Ordinance Book 4, page 187.

(No. 55.)

AN ORDINANCE—Granting Charles Preller the right to erect a frame building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to Charles Preller to erect a frame building in the rear of his lot, No. — Penn avenue, 17th ward.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 27th, 1876.

Became a law without signature of the Mayor, December 19th, 1876.

Ordinance Book 5, page 67.

(No. 56.)

AN ORDINANCE—Authorizing the construction of a sewer on Soho run, from culvert under Fifth avenue to culvert under Forbes street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a stone sewer, — feet in diameter, on the property of Hugh Gayton and James Davis, on line of Soho run, to connect the culvert under Fifth avenue with the culvert under Forbes street, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled, "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed November 27th, 1876.

Became a law without signature of the Mayor, December 19th, 1876.

Ordinance Book 5, page 68.

(No. 57.)

AN ORDINANCE—Authorizing the assessment of damages and benefits caused by the opening of Liberty avenue, from Thirty-third street to Centre avenue.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Board of Viewers of Street Improvements be and they are hereby authorized and directed to assess the benefits and damages caused by the grading of Liberty avenue, from Thirty-third street to Centre avenue, in accordance with the provisions of an Act of Assembly, entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 4th, 1876.

Approved December 8th, 1876.

Ordinance Book 5, page 68.

(No. 58.)

AN ORDINANCE—Repealing an Ordinance entitled "An Ordinance authorizing the opening of Sycamore street, from Washington street to Mattern street," passed November 22d, 1875.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That an Ordinance entitled "An Ordinance authorizing the opening of Sycamore street, from Washington street to Mattern street," passed November 22d, 1875, be and the same is hereby repealed.

Passed December 4th, 1876.

Approved December 8th, 1876.

Ordinance Book 5, page 69.

(No. 59.)

AN ORDINANCE—Authorizing the opening of Knox avenue, from Brownsville avenue to city line.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the passage of this Ordinance, Knox avenue (late Boyd street), from Brownsville avenue to city line, at a width of fifty feet, in accordance with McLain and Maple's plan of the subdivision of Boydstown, on file in the Engineer's office.

The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 4th, 1876.

Approved December 8th, 1876.

Ordinance Book 5, page 69.

(No. 60.)

AN ORDINANCE—Authorizing the opening of Osage lane, from Penn avenue to line of property of heirs of Stacy Lloyd.

WHEREAS, It appears that a majority in interest have petitioned for the opening of Osage lane, from Penn avenue to line of property of heirs of Stacy Lloyd: therefore,

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the date of the passage of this Ordinance, Osage lane, from Penn avenue to line of property of heirs of Stacy Lloyd, at a width of twenty feet, said Osage lane being situated between Lang and Homewood avenues, and between the property of Mrs. Scott and D. Stewart, the center line of said lane as now traveled, to be the center line of said lane herein located and to be opened.

The damages caused thereby and the benefits to pay the same to be assessed and collected in accordance with the provisions of an Act of Assembly, entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 4th, 1876.

Approved December 8th, 1876.

Ordinance Book 5, page 70.

(No. 61.)

AN ORDINANCE—Granting the use of certain streets to the Pittsburgh and South Side Railway Company.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the Pittsburgh and South Side Railway Company shall have, subject to the conditions and stipulations hereinafter mentioned, the right and privilege to lay out and construct its railroad upon the following streets of the City of Pittsburgh, by either one or the other of the following routes, the election of either route to be final, viz: Commencing at the intersection of Fifth street and Liberty street; thence along Fifth street to Penn avenue; thence along Penn avenue, with double track, to Water street; thence along Water street to the northern approach to the Point bridge; or commencing at the intersection of Fifth street and Liberty street; thence along Fifth street to Duquesne way; thence along said Duquesne way to the ——— approach to the Point bridge; thence along said approach to the eastern end of said bridge; thence over and along said bridge, provided the consent of the owners thereof be first obtained, to Carson street; thence westwardly along Carson street to the city line, and also from the intersection of Main and Carson streets, along Main and Walnut streets westwardly, to the "Old Stone Tavern" or terminus of the city line; said railroad to be a single or double track, with necessary turnouts and switches along said streets, except where herein otherwise provided, and said company shall have the right and privilege, subject to all the conditions and stipulations hereinafter mentioned, of traversing said streets upon their said railroad, with their cars, drawn by horses or mules, subject to such regulations and rules as may be at any time hereafter prescribed by Ordinances of the City of Pittsburgh.

Section 2. The powers and privileges hereinbefore conferred, are granted upon the following express conditions only:

1. Said company shall use in the construction of its railway rails of a pattern to be approved by the City Engineer and the Committee on Streets of Councils, and the tracks shall be of the same gauge as those now used by the Citizens Passenger Railway Company, and the same shall be laid under the supervision and in the manner and places designated by the City Engineer; provided that no switch or turnout shall be constructed in front of any rolling mill now in existence.

2. It shall put down at all the gutters crossed by said railway, iron culverts of a pattern to be approved by the said Engineer and Committee on Streets, and the rails shall not be laid until the said culverts are put down.

3. Said company shall not use locomotives or steam power for the purpose of hauling their cars within the limits of the City of Pittsburgh.

4. Said company shall not use said railway, nor the cars run thereon, for any other purpose than the transportation of passengers within the limits of the city; provided, however, that when said company shall continue their tracks to or abreast of Neville Island, they shall have the privilege of running market cars over said railway, between the hours of 10 o'clock P. M. and 6 o'clock A. M.

5. Said company shall keep clean and in perpetual good repair, from curb to curb, those portions of the streets through which said railway may pass; subject to the directions of the Street Commissioner or City Engineer, with the privilege of appeal to the Committee on Streets, whose decision shall be final.

6. The construction of said railroad shall be commenced within one year, and finished within the limits of the City of Pittsburgh within two years from the passage of this Ordinance.

7. The said company shall not charge for passengers carried on their road, within the limits of the City of Pittsburgh, higher or greater fares than those now charged for passengers by the Citizens Passenger Railway Company.

8. The said company shall pay into the City Treasury, for the use of the city, within one month after the cars commence running on said road, and at the same date annually thereafter, for each two-horse car run over said road, the sum of twenty dollars per annum for each car for five years from the date (if the first payment, thirty dollars per annum for each of said cars for the next five years thence next ensuing, and forty dollars per annum for each of said cars thereafter run over said road. And all small cars, of half the capacity of the two-horse cars and market cars, to be paid for at one-half the above rates, but this shall not be held to apply to cars used only on extraordinary occasions, such as holidays, or to cars reserved for use in case of accident or damage to others, and the cars shall be numbered under the Ordinances of said city regulating licenses on such vehicles.

9. The said company shall pay into the City Treasury, for the use of the city, on the third Monday of January and July in each year, for the first five years after they commence running cars upon said road, three per centum of the net profits of said company, and thereafter, upon the same days in each year, five per centum upon the net profits of said company.

10. The President of said Railway Company shall annually, at the time provided herein for the payment of the charge upon the cars run upon said road, make a written return, under oath, to the City Controller, of the number of cars which may at any time during the year have been run on said road, not including those excepted in the sixth provision of this section. The said President shall also, on or before the fifth day of January and July in each year, make a written return,

under oath, to the Controller, of the net profits of said company for the six months then next preceding, and the said returns shall be sworn to before the Controller, and the books of said company shall always be open to the inspection of the Finance Committee, or other committee of Councils appointed for the purpose.

11. That if at any time the said company shall fail to comply with any of the provisions or conditions of this Ordinance, the city shall have the right to repeal this Ordinance, and revoke the privileges hereby granted, and cause the tracks of the said company to be removed from the streets of the city, at the cost and expense of the said company.

12. That the city reserves the right, at any time after the end of twenty years from the date hereof, by giving the said company one year's notice of its intention, to possess the said road and stock by paying for the same at a rate to be fixed by five disinterested appraisers, to be appointed by the Court of Common Pleas of Allegheny county at the request of the city.

13. The city shall have the right at any time to grant to any other persons or corporations the right to use a portion of the tracks hereby authorized for similar purposes as allowed in this Ordinance, on condition that the grantee or grantees of the city shall pay to the Pittsburgh and South Side Railway Company, or its assigns, a proportionate part of the cost of construction and maintenance. Said proportionate part to be ascertained and determined by the City Engineer, if the parties interested cannot agree upon the same.

Section 3. This Ordinance shall not go into effect, nor shall the said Pittsburgh and South Side Railway Company be allowed to make use of any of the rights or privileges hereby granted, until the said company shall file in the office of the City Controller an agreement, approved by the City Attorney, under the seal of said company, accepting this Ordinance in all its provisions and conditions, and covenanting that any failure to comply with any of its terms may, at the option of the city, be held to work a revocation of the privileges herein granted.

Section 4. That all Ordinances and parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed, so far as the same conflict with this Ordinance.

Passed December 4th, 1876.

Approved December 8th, 1876.

Ordinance Book 5, page 71.

(No. 62.)

AN ORDINANCE—Locating centre line of Chestnut street, from Wood street to Carson street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the centre line of Chestnut street, from Wood street to Carson street, be and is hereby located as follows: Beginning at the centre of Wood street, thence north $58^{\circ} 15'$ east about 256 feet to an angle; thence south $80^{\circ} 00'$ east to the centre of Carson street, to agree with the plan surveyed for James Woods by R. E. McGowin, October 19th, 1847.

Section 2. That said street shall be fifty feet wide.

Section 3. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 11th, 1876.

Approved December 18th, 1876.

Ordinance Book 5, page 72.

(No. 63.)

A N ORDINANCE—Amending City Code; title, Signs and Signboards, page 282.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Code, title, Signs and Signboards, page 282, be amended by the addition of the following:

"Section 2. That any violation of the provisions of the foregoing section shall subject the person so offending to a fine of five dollars, to be collected by summary process, and in default of the payment of said fine, the Mayor shall be and he is hereby empowered to commit the person so offending to the jail of Allegheny County, for a period not exceeding ten days."

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 11th, 1876.

Approved December 18th, 1876.

Ordinance Book 5, page 74.

(No. 64.)

A N ORDINANCE—Authorizing the paving and curbing of Bluff street, from west side of Marion street to Shingiss street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the paving and curbing of Bluff street, from west side of Marion street to Shingiss street, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 11th, 1876.

Approved December 18th, 1876.

Ordinance Book 5, page 75.

(No. 65.)

A N ORDINANCE—To regulate Taverns and all other Houses for Public Entertainment, Ale and Porter Shops and Houses and other places of habitual resort for the purpose of Tippling or Intemperance.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That any keeper of any tavern, house for public entertainment, ale or porter shop, or house, or other place of habitual resort for the purpose of tippling or intemperance, who shall allow or permit any girl or woman, other than a member of his immediate family, to act as bar-keeper or bar-tender, or to carry or serve to any person in such tavern, house for public entertainment, ale or porter shop or house, or other place of habitual resort for the purpose of tippling or intemperance, any beer, wine, malt or spirituous liquors of any kind, either in the day or night time, or shall permit any person to sing or dance in a lewd or indecent manner therein, or permit any lewd,

indecent or lascivious behavior whatever, shall, on conviction thereof, be fined not exceeding fifty dollars, and in default of the payment of the said fine and costs of suit, shall be committed to the Allegheny County Work-house for a period not exceeding sixty days.

Passed December 22d, 1876.

Approved December 27th, 1876.

Ordinance Book 5, page 75.

(No. 66.)

A N ORDINANCE—Changing the width of Sylvan avenue extension.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the width of Sylvan avenue extension be changed from its present width, viz.: 50 feet to forty (40) feet, taking ten feet off the south side, from Greenfield avenue to angle west of Hazelwood avenue, thence to Hazelwood avenue, taking five feet off each side.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 22d, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 76.

(No. 67.)

A N ORDINANCE—Authorizing the grading and paving of the unimproved portions of Exchange alley, from Fourth street to Evans alley.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading and paving of the unimproved portions of Exchange alley, from Fourth street to Evans alley, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 22d, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 76.

(No. 68.)

A N ORDINANCE—Authorizing the grading, paving and curbing of Pride street, from Bluff street to Quince alley.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the grading, paving and curbing of Pride street, from Bluff street to Quince alley, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several

supplements thereto and Ordinances of Councils relative to the same.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 22d, 1876.

Approved December 27th, 1876.

Ordinance Book 5, page 77.

(No. 69.)

A N ORDINANCE—Authorizing the opening of Reed street, from Overhill street to Dinwiddie street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to survey and open, within sixty days from the date of the passage of this Ordinance, Reed street, from Overhill street to Dinwiddie street, at a width of sixty feet, in accordance with the City District plan, on file in the Engineer's office.

The damages caused thereby, and the benefits to pay the same, to be assessed and collected in accordance with the provisions of an Act of Assembly entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 22d, 1876.

Became a law without signature of Mayor, January 12th, 1877.

Ordinance Book 5, page 77.

(No. 70.)

A N ORDINANCE—Establishing the grade of Bluff street, from Pride street to Stevenson street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the grade of Bluff street, from Pride street to Stevenson street, be and is hereby established as follows, to wit: Commencing at the western curb line of Pride street and northern curb line of Bluff street; thence westwardly, rising 6 feet per 100, for a distance of 218.59 feet; thence rising 1.7 feet per 100 to the eastern curb line of Stevenson street, distance 177.93 feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 28th, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 78.

(No. 71.)

A N ORDINANCE—Repealing an Ordinance entitled "An Ordinance authorizing the construction of a sewer on Locust alley, from Meyran avenue to Ravine street," passed September 24th, 1875.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That an Ordinance entitled "An Ordinance authorizing the construction of a sewer on Locust alley, from Meyran avenue to Ravine

street," passed September 24th, 1875, be and the same is hereby repealed.

Passed December 28th, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 78.

(No. 72.)

A N ORDINANCE—Fixing the salary of the Mayor.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That from and after the first day of February, A. D. 1878, the Mayor of the City of Pittsburgh shall receive in lieu of all fees and costs now received by him, an annual salary of six thousand dollars.

Section 2. That the Mayor of said city shall, on or before the fifth day of each month, make a return under oath to the City Controller of all moneys received by him as fees and costs during the month last past, and shall, on or before the same day, pay into the City Treasury the moneys thus received.

Section 3. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 29th, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 79.

(No. 73.)

A N ORDINANCE—Changing the place of holding elections in the first precinct of the Third ward, Pittsburgh.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the place for holding elections in the first precinct of the Third ward of the City of Pittsburgh, is hereby changed from the office of the City Controller, Municipal Hall, to the office of the Janitor, Municipal Hall.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 29th, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 79.

(No. 74.)

A N ORDINANCE—Granting Alexander McClure & Co. the right to erect an iron-clad shed.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to Alexander McClure & Co. to erect an iron-clad shed on their lot at the corner of Twenty-fifth and Railroad streets.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 29th, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 79.

(No. 75.)

A N ORDINANCE—Authorizing the construction of a sewer on Beech alley and Seneca street, from Gist street to Forbes street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the City Engineer be and he is hereby authorized and directed to advertise for proposals for the construction of a pipe sewer, twenty inches in diameter, on Beech alley and Seneca street, from Gist street to Seneca street, thence along Seneca street to a connection with sewer on Forbes street, and to let the same in the manner directed by an Act concerning Streets, approved January 6th, 1864, and the several supplements thereto and Ordinances of Councils relative to the same.

The cost and expense of the same to be assessed and collected in accordance with the provisions of an Act of Assembly, entitled "An Act concerning Streets and Sewers in the City of Pittsburgh," approved January 6th, 1864, and the several supplements thereto.

Section 2. That any Ordinance or part of Ordinance conflicting with the passage of this Ordinance at the present time, be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed December 29th, 1876.

Approved January 3d, 1877.

Ordinance Book 5, page 80.

(No. 76.)

A N ORDINANCE—Establishing the width of the sidewalks on Cliff street, between Gum and Cassatt streets.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the width of the sidewalks on Cliff street, between Gum street and Cassatt street, be and are hereby established at twelve (12) feet.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed January 4th, 1877.

Approved January 8th, 1877.

Ordinance Book 5, page 80.

(No. 77.)

A N ORDINANCE—Establishing the width of the sidewalks and roadway of Bluff street, from Gist street to Shingiss street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the sidewalks and roadway of Bluff street, between Gist street and the angle west of Chestnut street, shall be established as follows, viz: The sidewalk on the north side of said street shall be in width twelve (12) feet; the roadway shall be in width thirty (30) feet; and the sidewalk on the south side shall extend in width from said roadway to the brow of the hill or bluff, in accordance with the plan hereto attached and made part hereof; and the sidewalks and roadway of said Bluff street, between the said angle west of Chestnut street and Shingiss street, shall be as follows, viz: The sidewalks each shall be ten (10) feet in width, and the road-

way thirty (30) feet in width, in accordance with the plan hereto attached and made part hereof.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed January 4th, 1877.

Approved January 8th, 1877.

Ordinance Book 5, page 80.

(No. 78.)

A N ORDINANCE—Granting to Joseph Keeling the privilege to use Dummy Engines on his coal railroad on Twenty-first street.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and is hereby granted to Joseph Keeling to use Dummy Engines on his coal railroad on Twenty-first street, South Side.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed January 4th, 1877.

Approved January 8th, 1877.

Ordinance Book 5, page 81.

(No. 79.)

A N ORDINANCE—Granting W. H. Daly right to erect a frame building.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That permission be and is hereby granted W. H. Daly to erect a frame building in the rear of his lot, No. 328 Fifth avenue.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed January 5th, 1877.

Approved January 8th, 1877.

Ordinance Book 5, page 81.

(No. 80.)

A N ORDINANCE—Granting Elizabeth McConaghey the privilege to erect a frame addition to her building on Butler street, Fifteenth ward.

Section 1. Be it ordained and enacted by the City of Pittsburgh, in Select and Common Councils assembled, and it is hereby ordained and enacted by the authority of the same, That the privilege be and the same is hereby granted to Elizabeth McConaghey to erect a frame one-story building, 22 feet front by 18 feet deep, as an addition to her frame house, situate on her premises on Butler street, Fifteenth ward.

Section 2. That any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, so far as the same affects this Ordinance.

Passed January 5th, 1877.

Approved January 8th, 1877.

Ordinance Book 5, page 81.